

# **EXHIBIT 2**

<p style="text-align: right;">Page 1</p> <p>IN THE UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF ALABAMA SOUTHERN DIVISION CIVIL ACTION NO. 2:15-CV-274-MHH</p> <p>BRIANA WALKER, individually and on behalf of herself and all others similarly situated, Plaintiffs, vs. FREEDOM RAIN, INC., d/b/a THE LOVELADY CENTER, et al., Defendants.</p> <p>DEPOSITION OF MIYOSHI BATES Wiggins Childs Pantazis Fisher &amp; Goldfarb 301 19th Street North Birmingham, Alabama 35203 October 19, 2015</p> <p>REPORTED BY: Laura H. Nichols Certified Realtime Reporter, Registered Professional Reporter and Notary Public</p>	<p style="text-align: right;">Page 3</p> <p>1 A P P E A R A N C E S (Continuing)</p> <p>2</p> <p>3 FOR THE DEFENDANTS:</p> <p>4 Mr. T. Matthew Miller</p> <p>5 and Ms. Anne Knox Averitt</p> <p>6 Attorneys at Law</p> <p>7 Bradley Arant Boult Cummings LLP</p> <p>8 One Federal Place</p> <p>9 1819 Fifth Avenue North</p> <p>10 Birmingham, Alabama 35203</p> <p>11 205.521.8000</p> <p>12 tmmiller@babc.com</p> <p>13 aaveritt@babc.com</p> <p>14</p> <p>15 OTHERS PRESENT:</p> <p>16 Ms. Laketta Mackins</p> <p>17 Ms. Melinda McGahee</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p>
<p style="text-align: right;">Page 2</p> <p>1 A P P E A R A N C E S</p> <p>2</p> <p>3 FOR THE PLAINTIFFS:</p> <p>4 Messrs. Robert J. Camp</p> <p>5 and Russell W. Adams</p> <p>6 Attorneys at Law</p> <p>7 Wiggins Childs Pantazis</p> <p>8 Fisher &amp; Goldfarb</p> <p>9 The Kress Building</p> <p>10 301 19th Street North</p> <p>11 Birmingham, Alabama 35203</p> <p>12 205.314.0500</p> <p>13 rcamp@wigginschilds.com</p> <p>14 radams@wigginschilds.com</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p>	<p style="text-align: right;">Page 4</p> <p>1 INDEX OF EXAMINATION</p> <p>2</p> <p>3 Page:</p> <p>4 EXAMINATION BY MR. MILLER 7</p> <p>5 EXAMINATION BY MR. CAMP 142</p> <p>6 REEXAMINATION BY MR. MILLER 153</p> <p>7 REEXAMINATION BY MR. CAMP 156</p> <p>8</p> <p>9</p> <p>10 INDEX OF PLAINTIFFS' EXHIBITS</p> <p>11</p> <p>12 Page:</p> <p>13 Plaintiffs' Exhibit 1 147</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p>

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## STIPULATION

IT IS STIPULATED AND AGREED, by and between the parties, through their respective counsel, that the deposition of MIYOSHI BATES may be taken before Laura H. Nichols, Commissioner, Certified Realtime Reporter, Registered Professional Reporter and Notary Public;

That the signature to and reading of the deposition by the witness is waived, the deposition to have the same force and effect as if full compliance had been had with all laws and rules of Court relating to the taking of depositions;

That it shall not be necessary for any objections to be made by counsel to any questions, except as to form or leading questions, and that counsel for the parties may make objections and assign grounds at the time of trial, or at the time said deposition is offered in evidence, or prior thereto.

I, Laura H. Nichols, a Certified Realtime Reporter and Registered Professional Reporter of Birmingham, Alabama, and a Notary Public for the State of Alabama at Large, acting as Commissioner, certify that on this date, as provided by the Federal Rules of Civil Procedure of the United States District Court, and the foregoing stipulation of counsel, there came before me at the law offices of Wiggins Childs Pantazis Fisher & Goldfarb, 301 19th Street North, Birmingham, Alabama 35203, on October 19, 2015, commencing at 9:14 a.m., MIYOSHI BATES, witness in the above cause, for oral examination, whereupon the following proceedings were had:

MIYOSHI BATES,  
being first duly sworn, was examined and testified as follows:

EXAMINATION BY MR. MILLER:

Q. Good morning, Ms. Bates.

A. Good morning.

Q. My name is Matt Miller. I am a lawyer with Bradley Arant Boult Cummings. We are here today to take your deposition.

A. Okay.

Q. Have you ever given a deposition before?

A. No.

Q. Okay. Let me give you some of the ground rules. First off, you are sworn in under oath, right, just raised your right hand to be sworn?

A. Okay.

Q. So you are under oath just like you would be if we were over in the courthouse in front of the judge and jury.

A. Okay.

Q. Okay. So the rules of perjury apply. Do you understand that?

A. Uh-huh.

Q. Okay. One other rule is, you just said uh-huh.

A. Yes.

Q. It is difficult for the court

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1 reporter to take down a nod of the head or an  
2 uh-huh. So a yes or a no or an explanation  
3 will read much better on the record, and she  
4 won't fuss at us if we do that.

5 A. Okay.

6 Q. If I ask you a question and you  
7 give me an uh-huh or an huh-uh, I am probably  
8 going to ask you, is that a yes or is that a  
9 no, okay --

10 A. Okay.

11 Q. -- as we go along? If I ask you a  
12 question and you don't understand it, please  
13 tell me.

14 A. Okay.

15 Q. If I ask you the question and you  
16 answer it and you don't tell me hey, I didn't  
17 understand that question, I am going to assume  
18 you understood it.

19 A. Okay.

20 Q. Is that fair?

21 A. Yes.

22 Q. Okay. If you need to take a  
23 break, you know, just let us know. As long as

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1 Q. (BY MR. MILLER:) Okay. You can  
2 answer.

3 MR. CAMP: Are we talking about  
4 prescription drugs?

5 MR. MILLER: Talking about any  
6 kind of drugs.

7 MR. CAMP: Well, objection to the  
8 extent that you are asking her whether she has  
9 taken illegal drugs. It is not relevant to the  
10 case, and it is not relevant to the deposition.

11 MR. MILLER: We are going to be  
12 asking that in these depositions. So we can  
13 put it under seal, whatever we need to do, but  
14 it is relevant.

15 MR. CAMP: The client is not going  
16 to testify to an illegal activity.

17 MR. MILLER: So she is going to  
18 take the Fifth?

19 MR. CAMP: Yes.

20 MR. ADAMS: These are limited to a  
21 very specific topic of the employment.

22 MR. MILLER: Exactly. And that  
23 issue applies to the employment issue if you

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1 you finish answering the question, you can take  
2 a break. That is the only thing I ask, is that  
3 I am right in the middle of a question, that we  
4 not jump up unless there's an issue that your  
5 lawyer needs to address. Then we can take that  
6 up at that time.

7 A. Okay.

8 Q. Are you on any type of medication  
9 that would keep you from being able to have a  
10 full memory today?

11 A. No.

12 Q. Okay. Are you on any type of  
13 medication?

14 A. No.

15 Q. Okay. Are you currently using any  
16 type of prescription drugs?

17 A. No.

18 Q. Are you currently using any type  
19 of illegal drugs?

20 A. No.

21 Q. Okay. When is the last time you  
22 took any type of drugs?

23 MR. CAMP: Objection.

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1 look at the cases. And if we have to go to the  
2 judge on that, we might as well do it right  
3 away. But it is relevant. If they are going  
4 to take the Fifth, they can take the Fifth.  
5 And whatever assumption applies in a civil case  
6 based on the Fifth, that's up to them.

7 Q. (BY MR. MILLER:) So, ma'am, are  
8 you going to take the Fifth Amendment on your  
9 lawyer's advice and not answer the question?

10 MR. CAMP: Hold on. Go off the  
11 record a minute.

12 MR. MILLER: Okay.

13 (Whereupon, a break was had from  
14 9:17 a.m. until 9:18 a.m.)

15 MR. CAMP: We are not going to  
16 instruct her to take the Fifth. We are going  
17 to instruct her not to answer the question. We  
18 don't think it is relevant to the limited issue  
19 of this deposition. And if we need to get the  
20 Court, let's go ahead and do it.

21 MR. MILLER: Okay. I tell you  
22 what we are going to do. On the record, the  
23 plaintiff has refused to answer the question;

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1 is that correct?

2 MR. CAMP: The plaintiff has been  
3 instructed by her counsel not to answer the  
4 question. It is outside the scope of this  
5 deposition.

6 MR. MILLER: We object to that.  
7 As these depositions are concluded, we reserve  
8 the right to go to the Court to move to reopen  
9 the deposition. In fact, we are going to keep  
10 all the depositions open on that issue. And we  
11 retain the right to move for appropriate relief  
12 from the Court, including having the  
13 depositions paid for, whatever other sanctions  
14 might be appropriate based on the plaintiff not  
15 answering the question that has been asked  
16 based on a claim that it is outside the scope,  
17 when, in a civil deposition, the only  
18 appropriate objection is to the form of the  
19 question.

20 So unless she is taking the Fifth,  
21 we believe it is inappropriate.

22 MR. CAMP: And, obviously, we  
23 disagree that the deposition will be left open,

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1 it does, we will be happy to let them answer  
2 it.

3 MR. MILLER: I don't have to go  
4 into my legal theories to let you know. But if  
5 y'all are going to instruct them to answer or  
6 not today, we are going to be going to the  
7 Court on it.

8 MR. ADAMS: Then we may need to go  
9 ahead and talk to the Court about that issue.  
10 We are not going to let them talk --

11 MR. CAMP: Yeah, we are not going  
12 to sit here and take depositions and then have  
13 you come back and charge us for the next round  
14 when the issue could be solved on the front  
15 end. Are you following me? We can go to the  
16 Court now, have it taken care of, make sure  
17 that we are understanding the Court's order and  
18 that it is limited to whether they are  
19 employees. And then we can come back and take  
20 the depositions.

21 But there's no need for us to get  
22 in a fight about this and then you want to come  
23 back and try to charge us for sanctions when

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1 and they can move to reopen it if they want to.

2 MR. ADAMS: And we disagree that  
3 these depositions have a broad -- the normal  
4 broad scope. The Court has said that y'all can  
5 take discovery on a very limited issue. We are  
6 in an unusual posture in the case because you  
7 normally don't get any discovery at this point  
8 in time, and the Court has allowed discovery on  
9 a very limited issue. And that is all we are  
10 going to allow them to answer questions on.

11 MR. MILLER: Just for the record,  
12 y'all don't get to decide what we might need to  
13 show whether or not these individuals are  
14 employees. Okay. Y'all can object to the  
15 form. Y'all can move to exclude it, tell the  
16 Court it is not relevant. We are trying to  
17 keep them short depositions. We are trying to  
18 stay focussed on that. But there are some  
19 things that we are going to ask them that you  
20 may not immediately think oh, that relates  
21 directly to whether or not they are employed,  
22 but it all does.

23 MR. ADAMS: If you can tell us how

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1 you are trying to go outside the scope.

2 MR. MILLER: You just instructed a  
3 witness not to answer a question. I will leave  
4 that to y'all.

5 MR. CAMP: Fine.

6 MR. MILLER: Fine.

7 Q. (BY MR. MILLER:) Ms. Bates, today  
8 we are going to be talking about The Lovelady  
9 Center. We may talk about Freedom Rain. Do  
10 you know what we are talking about when we talk  
11 about those entities?

12 A. I do, yes.

13 Q. Okay. As I said today, if you  
14 don't understand one of my questions, let me  
15 know.

16 A. I will.

17 Q. I will rephrase it. First, let me  
18 show you what I am going to mark as Defendants'  
19 Exhibit 1.

20 (Defendants' Exhibit 1 was marked  
21 for identification.)

22 Q. (BY MR. MILLER:) I ask you if you  
23 have seen this document before. And I will

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Page 19

1 represent to you that it is labeled as Miyoshi  
2 Bates's Responses to Interrogatories.

3 A. Yes.

4 THE REPORTER: You are going to  
5 need to speak up some.

6 A. Yes.

7 Q. (BY MR. MILLER:) Will you do me a  
8 favor and take a look through that? Because I  
9 don't think I have a signed copy of it. So  
10 what I am going to do is have you under oath  
11 tell me that what you have stated in there is  
12 accurate and correct.

13 A. Yes. To my knowledge at this  
14 time, everything is accurate.

15 Q. Okay. Well, these are your  
16 responses. This is my only chance.

17 A. Yes.

18 Q. So as far as you know, everything  
19 is accurate?

20 A. Yes.

21 Q. All right. What is your date of  
22 birth?

23 A. [REDACTED].

1 A. No.

2 Q. Who did they live with while you  
3 were at Lovelady Center?

4 A. Their grandmother.

5 Q. Is that your mom?

6 A. No. My mom is deceased. Their  
7 dad's mother.

8 Q. Their dad's mother. Have you ever  
9 been in the military?

10 A. No.

11 Q. Are you affiliated with any  
12 particular religion?

13 A. Nondenominational.

14 Q. Do you go to a particular church  
15 right now?

16 A. No.

17 Q. Have you ever attended a church in  
18 the last couple of years?

19 A. Yes.

20 Q. Which church?

21 A. Faith Temple.

22 Q. Faith Temple. Where is that  
23 located?

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1 Q. And your Social Security number?

2 A. [REDACTED].

3 Q. And where do you live?

4 A. [REDACTED]

6 Q. And how long have you lived there?

7 A. On and off, eighteen years.

8 Q. Okay. Are you married?

9 A. Single.

10 Q. Do you have any children?

11 A. Two.

12 Q. Okay. How old are they?

13 A. Eighteen and seven.

14 Q. Your eighteen-year-old, what is  
15 the eighteen-year-old's name?

16 A. [REDACTED].

17 Q. [REDACTED]? What is her last name?

18 A. [REDACTED].

19 Q. [REDACTED]? Where does she live?

20 A. Same address.

21 Q. Same address. Okay. Did either  
22 of the children live with you at Lovelady  
23 Center?

1 A. It is in Powderly on Jefferson  
2 Avenue.

3 Q. In where?

4 A. In Powderly, Alabama.

5 Q. Powderly?

6 A. Powderly.

7 Q. Powderly. Okay. All right. Any  
8 other churches?

9 A. Not that I can think of.

10 Q. Do you consider yourself to be a  
11 person of your word?

12 A. Yes.

13 Q. If you say you will do something,  
14 you do it?

15 A. Yes.

16 Q. All right.

17 A. If it was -- if it is in my  
18 abilities, yes.

19 Q. Is it ever okay, in your opinion,  
20 to lie to help out yourself?

21 A. To help what?

22 Q. To help yourself on something?

23 A. Hold on. Say that again.

5 (Pages 17 to 20)

REDACTED



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1 Q. Is there ever a time when it is  
2 okay to lie in order to help yourself?

3 A. No, it is not okay.

4 Q. What about to help your family, is  
5 it ever okay to lie to help your family?

6 A. No.

7 Q. Okay. Have you ever had any  
8 issues in the past with lying?

9 A. Yes.

10 Q. Okay. When have you had issues  
11 with lying?

12 A. What do you mean like issues, like  
13 where they have gotten me in trouble or issues  
14 where it was a little white lie?

15 Q. Where you lied a lot, like you  
16 were lying a lot.

17 A. No.

18 Q. Compulsive lying.

19 A. No.

20 Q. Have you ever had issues when you  
21 feel yourself would be untrustworthy?

22 A. Have I ever --

23 Q. Have you ever had issues with

1 Q. Just one traffic ticket?

2 A. No. It was -- from what I can  
3 remember, I think like three, and that was like  
4 for speeding. I think I got one for speeding,  
5 is all I can think of right now, and then my  
6 license got suspended. And I got stopped for  
7 driving with a suspended license. And that is  
8 what I got put on probation for.

9 Q. Were you on probation when you  
10 went to Lovelady?

11 A. No. I had paid all my fines.

12 Q. Do you currently have any arrests  
13 that are pending?

14 A. No.

15 Q. Any warrants outstanding?

16 A. No.

17 Q. Any other lawsuits you have ever  
18 been involved in other than this one?

19 A. I was in a car accident in 2010,  
20 2011. And I sued the gentleman that hit me  
21 from behind. But that wasn't here in Alabama.  
22 That happened in Georgia.

23 Q. Okay. What happened in that case?

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1 being trustworthy?

2 A. I mean how would you say that -- I  
3 mean --

4 Q. How do you define trustworthy?

5 A. With somebody being able to trust  
6 me and trust their care with me with something,  
7 yeah.

8 Q. Have you ever had a time when you  
9 weren't trustworthy?

10 A. Where people -- do you mean where  
11 people couldn't trust me or --

12 Q. Right. Right.

13 A. No.

14 Q. All right. Have you ever been  
15 convicted of a crime?

16 A. What is "convicted"? Like if I  
17 had to do some time or something?

18 Q. Yes, ma'am.

19 A. No.

20 Q. Or probation.

21 A. Well, I was -- for a traffic  
22 ticket. I was on probation for a traffic  
23 ticket.

1 A. Well, I got paid. I think it was  
2 like ten thousand dollars.

3 Q. Did you have to go to court?

4 A. No. I just went to my doctor. He  
5 decided I didn't have to go to court. My  
6 attorneys took care of it. I did everything by  
7 mail.

8 Q. All right. Have you ever filed a  
9 charge with the Equal Employment Opportunity  
10 Commission?

11 A. No.

12 Q. Ever talked to anybody with the  
13 U.S. Department of Labor?

14 A. No.

15 Q. I don't want to know about  
16 specifics with your lawyers, but other than  
17 talking to your lawyers, what did you do to get  
18 ready for the deposition today?

19 A. Looked for any documentation to  
20 prove that what I am saying is correct and  
21 truthful.

22 Q. Did you find any?

23 A. Yes, I gave it to my attorneys,

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1 what I had.

2 Q. Okay. Is that something you gave  
3 to them today?

4 A. No. I have been gave it to them.

5 Q. In the past?

6 A. Uh-huh, yes.

7 Q. Okay. And what was that  
8 documentation? What was it you think proves  
9 your case?

10 A. Paycheck stubs stating that I was  
11 an employee for The Lovelady. The paycheck  
12 stub says The Lovelady Center. None of them  
13 says Blackwell's Way.

14 Q. Okay.

15 A. Hours worked were more than forty  
16 hours per week at a rate of minimum wage. All  
17 of -- anytime I did any work for them, it was  
18 clear to me that I was going to be compensated  
19 for it. I wasn't doing anything just to do it.  
20 I was always going to be compensated for it.

21 Q. Okay. Well, what document do you  
22 have that shows that?

23 A. The sheets they had me sign

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1 A. Lovelady would take, uh-huh.

2 Q. Anything else?

3 A. That is all I can think of right  
4 now.

5 Q. Okay. Now, other than what you  
6 just talked about, are there any other  
7 documents that you have seen, regardless of  
8 where you have seen them, whether you gave them  
9 to your lawyers, that you saw them that we  
10 produced, that you have seen when you were at  
11 Lovelady, any other documents that you think  
12 support your position that you were an  
13 employee?

14 A. No, not at this time.

15 Q. All right. So the answer is that  
16 we have got some paycheck stubs; is that right?

17 A. Yes.

18 Q. You have got opportunity credit  
19 sheets?

20 A. Well, I don't have those.

21 Q. But I am just asking you what you  
22 think supports --

23 A. Yes.

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1 like that you put your hours on, like the time  
2 sheets.

3 Q. What did it say on the time  
4 sheets?

5 A. Some of them say "opportunity  
6 credits." Some of them say --

7 THE REPORTER: Some of them say --

8 A. Opportunity.

9 (Off-the-record discussion.)

10 MR. CAMP: He is asking what you  
11 provided us.

12 MR. ADAMS: Only what you gave to  
13 us. Not what you looked at that they sent over  
14 this morning.

15 A. Okay. Receipts showing where the  
16 hours that I worked at Blackwell's Way and the  
17 money that they would take for my rent. And  
18 what was left, they would give you these sheets  
19 to show you your amount, and then they would  
20 give me my receipts showing that I paid my rent  
21 and other fees that ensued while I was there.

22 Q. (BY MR. MILLER:) When you say  
23 "they" would take, would Lovelady --

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1 Q. Some sheets showing the amounts  
2 you were paid?

3 A. Yes.

4 Q. Like receipt forms?

5 A. Yes, receipts.

6 Q. And a sheet showing the hours you  
7 worked?

8 A. Yes.

9 Q. Is there anything else?

10 A. That is all I can think of at this  
11 time.

12 Q. Tell me about where you went to  
13 school, what your education is.

14 A. Starting from where?

15 Q. Starting from high school.

16 A. Okay. I attended Wenonah High  
17 School from '93 to '97. And then in '99 -- I  
18 didn't get my high school diploma because -- I  
19 don't know -- okay. I had a baby, and she was  
20 sick. She had to have open heart surgery. And  
21 then my mama passed. And then -- okay. Then,  
22 so I ended up getting my GED from Virginia  
23 College in '99. I attended Bessemer State Tech



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1 in 2001 and got my CNA license to work at a  
2 nursing home. That is -- those are -- that is  
3 my educational background.

4 Q. All right. Any type of legal  
5 training?

6 A. No.

7 Q. Do you know what the Fair Labor  
8 Standards Act is?

9 A. I have heard of it.

10 Q. What is it?

11 A. Isn't it an act for fair labor,  
12 fair work?

13 Q. And what does it say?

14 A. I don't know. I have just heard  
15 about just that title. I have never heard it  
16 per se.

17 Q. Do you know what the law is on  
18 overtime, what does the law say about overtime?

19 A. Yes, that if any employee works  
20 overtime, they should be paid overtime,  
21 overtime hours.

22 Q. How --

23 A. Time and a half.

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1 not file any tax returns in 2012, 2013 or 2014?

2 A. Yes. That is correct.

3 Q. And you don't know the amount of  
4 your income for any of those years?

5 A. I don't.

6 Q. Well, how come you didn't file?  
7 Why did you not file taxes?

8 A. Because I was not given anything  
9 to file them while I was at The Lovelady  
10 Center.

11 Q. Were you given a 1099?

12 A. Not while I was there, no. That  
13 was given to me after I have been dismissed.

14 Q. Okay. But you got that in 2014?

15 A. '15. And I had to call and ask  
16 for it.

17 Q. Oh, you called and asked for a  
18 1099?

19 A. Uh-huh.

20 Q. Okay. Who did you call and ask  
21 for it?

22 A. Rosie Mullens.

23 Q. What made you call and ask for it?

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1 Q. Okay. How many hours is overtime?

2 A. Any hour over forty hours a week.

3 Q. Okay. All right. What else do  
4 you know about the wage and hour laws?

5 A. I know minimum wage is seven  
6 dollars and twenty-five cents an hour.

7 Q. How much of that did you know when  
8 you were at Lovelady?

9 A. I can't recall at this time.

10 Q. So you don't know whether you knew  
11 any of that when you were at Lovelady?

12 A. No.

13 Q. But you know it now?

14 A. Yeah, because of this case.

15 Q. Any type of medical training other  
16 than your CNA, your nursing?

17 A. Yes. I worked at UAB hospital as  
18 a patient care technician. And I worked at  
19 Caremark as a pharmacy technician.

20 Q. Okay. Anything else?

21 A. No.

22 Q. Did I read your discovery  
23 interrogatory responses correctly that you did

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1 A. Because I know that I was supposed  
2 to get something from working in the past, you  
3 know. You are supposed to get something, you  
4 know, from working to show that that is filed  
5 with the IRS. So I just called to see if they  
6 had one.

7 Q. Okay. Did you work in 2013? Were  
8 you at Lovelady in 2013?

9 A. I was.

10 Q. Did you get --

11 A. That's when I first -- I worked at  
12 The Lovelady Center, yeah.

13 Q. Did you get a 1099 for 2013?

14 A. No.

15 Q. Did you ask for one?

16 A. No.

17 Q. Tell me about where you've worked  
18 since high school.

19 A. Which job? I've had a bunch of  
20 jobs. I worked temporary agencies. I worked  
21 at Regions Bank. I worked at Stanberry &  
22 Associates. That is a tax preparation service.  
23 I have worked for sitting agencies, home health

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1 agencies. Awesome Sitters service. Then I  
2 worked at UAB as a patient care technician.  
3 Then the job at Caremark pharmacy and at The  
4 Lovelady Center.

5 Q. Are you working now?

6 A. No.

7 Q. What was the last job you had?

8 A. The Lovelady Center.

9 Q. So the last time, according to  
10 you, that you worked was at The Lovelady  
11 Center. That would have been in what, February  
12 of 2014?

13 A. Yes.

14 Q. Have you applied for any jobs  
15 since leaving The Lovelady Center?

16 A. No.

17 Q. You haven't applied for any jobs  
18 at all?

19 A. No.

20 Q. Online or sending out a resume,  
21 none of that?

22 A. No.

23 Q. Why not?

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1 A. When I left The Lovelady Center, I  
2 just was -- no reason.

3 THE REPORTER: I'm sorry. I can't  
4 understand you.

5 A. It is no reason in particular. I  
6 just haven't.

7 Q. Why do you --

8 A. Because when I was at The Lovelady  
9 Center, you know, I was working to pay my fees  
10 there. So when I got dismissed from The  
11 Lovelady Center, I didn't have the fees anymore  
12 so --

13 Q. What you were doing at The  
14 Lovelady Center, if I understand, you were  
15 working and you were using that money to pay  
16 your fees that you owed to Lovelady Center; is  
17 that right?

18 A. Yes.

19 Q. What are you doing now for income?

20 A. I don't have any income.

21 Q. Are you living with family?

22 A. Yes, I live with family.

23 Q. And they are providing you food

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1 and clothing and all that stuff?

2 A. That's correct.

3 MR. CAMP: Objection.

4 Q. (BY MR. MILLER:) So the last time  
5 you worked or applied for any work was February  
6 2014?

7 A. The last time I worked.

8 Q. The last time you worked. And you  
9 haven't applied anywhere since?

10 A. No.

11 Q. Is that correct?

12 A. That's correct.

13 Q. When you worked at the temporary  
14 service, tell me about that. How did that come  
15 about? Did you see an ad in the paper? Did a  
16 friend tell you about it?

17 A. I think I applied online.

18 Q. Okay. So it was --

19 A. That was so long ago. That was  
20 back in 2000. I could have walked in the  
21 temporary agency and just filled out a paper  
22 application. I can't remember, it is so far  
23 back. One of the two, I either applied online

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1 or did a walk-in.

2 Q. Okay. Either way, you filled out  
3 an application?

4 A. Yes.

5 Q. An application for a job?

6 A. Yes.

7 Q. And then after you filled out the  
8 application, did you interview with somebody?

9 A. Yes.

10 Q. Okay. And what kind of things  
11 happened in that interview? What kind of  
12 things did they ask you?

13 A. My work experience, my work ethic.  
14 They discussed rate of pay, hours worked, what  
15 shift I would work, insurance.

16 Q. Okay. At that point, did they  
17 tell you we have decided we want to hire you or  
18 at some point after --

19 A. No.

20 Q. -- the interview did they say,  
21 "Ms. Bates, we want to hire you for a job"?

22 A. Yeah, they initially called and  
23 offered me a position.

Page 37

1 Q. Okay. And what position did they  
2 offer you?

3 A. Whatever the position was that I  
4 applied for. If it was receptionist, it was a  
5 receptionist.

6 Q. So you applied for a specific  
7 position?

8 A. Yes.

9 Q. And they interviewed you about  
10 that position?

11 A. Yes.

12 Q. And you filled out an application?

13 A. Yes.

14 Q. And they called you and told you  
15 you had been hired for that position?

16 A. Yes.

17 Q. And what your rate of pay would  
18 be?

19 A. That's correct.

20 Q. And what your benefits would be?

21 A. That's correct.

22 Q. And you decided yes, I accept the  
23 job?

Page 39

1 A. I was a -- what do you call those  
2 people? I encoded the checks.

3 Q. You entered data?

4 A. Yes. I ran the checks through the  
5 machines. I forgot what it is called. But I  
6 encoded the checks, like the debits and the  
7 credits and ACH. I have forgotten what they  
8 call that.

9 Q. Okay. When you worked at Regions,  
10 did you fill out an application?

11 A. I did.

12 Q. Did you do it online or in person?

13 A. Online.

14 Q. You specifically went online to  
15 try to get a job with Regions?

16 A. I did.

17 Q. And pulled down the application?

18 A. Yes.

19 Q. And it said job application on it?

20 A. Yes.

21 Q. And you filled it out?

22 A. That's correct.

23 Q. And then hit send or whatever you

Page 38

1 A. That's correct.

2 Q. And who did you report to? Did  
3 you have a supervisor that you reported to?

4 A. Yes.

5 Q. And what did the supervisor do?

6 A. Or a team leader. Mostly the  
7 supervisors just introduced their selves. Most  
8 jobs I have had, I have had a team leader that  
9 will tell you the position and what to do.

10 Q. And what jobs have you had where  
11 you have had a team leader?

12 A. The Lovelady. You have somebody  
13 watching you the whole time.

14 Q. When you were inside The Lovelady  
15 Center?

16 A. Yes.

17 Q. Any other jobs where you have had  
18 a team leader?

19 A. Yes, at the bank.

20 Q. Is that Regions?

21 A. Regions Bank.

22 Q. Okay. And what did you do for  
23 Regions Bank?

Page 40

1 do on a computer to send it in?

2 A. Yes.

3 Q. And then did somebody contact you  
4 from Regions?

5 A. Yes.

6 Q. And what did they say, hey, we  
7 want to have an interview with you?

8 A. Well, actually I did a phone  
9 interview first. And if you pass the phone  
10 interview, they invited you in for an interview  
11 in person.

12 Q. So there were a couple of  
13 different levels of interviews?

14 A. Yes.

15 Q. What kind of questions did they  
16 ask you on the phone?

17 A. My job relevancy to the position  
18 that I applied for and my availability to be  
19 able to work.

20 Q. Your experience?

21 A. Yes.

22 Q. And did you talk about the rate of  
23 pay?

10 (Pages 37 to 40)

Page 41

1 A. Yes.  
 2 Q. And did you talk about your job  
 3 history?  
 4 A. That's correct.  
 5 Q. Okay. And did somebody call you  
 6 in or call you on the phone and say,  
 7 "Ms. Bates, we want to hire you for this job"?  
 8 A. Yes.  
 9 Q. And was it a specific job that you  
 10 applied for?  
 11 A. I can't remember, but I think so.  
 12 I probably applied for several positions, and  
 13 the one that they called me back for, I  
 14 accepted it.  
 15 Q. When they called you, they told  
 16 you they were hiring you for a specific  
 17 position?  
 18 A. Yes.  
 19 Q. And you accepted?  
 20 A. Yes.  
 21 Q. And they talked to you about pay  
 22 and benefits and those types of things?  
 23 A. Yes.

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1 Q. Is that right?  
 2 A. Yes.  
 3 Q. What did you do, you coded the  
 4 checks?  
 5 A. Yes.  
 6 Q. And did you have somebody you  
 7 reported to?  
 8 A. Yes, my team leader.  
 9 Q. Okay. Who was that?  
 10 A. I don't remember her name. I  
 11 don't remember her name.  
 12 Q. Was she there with you every day?  
 13 A. Yes.  
 14 Q. Most every day?  
 15 A. Yes.  
 16 Q. In the same location where you  
 17 were?  
 18 A. Yes. If she wasn't in the  
 19 department, yes, she was able to be reached.  
 20 Q. But she was with you in the same  
 21 building?  
 22 A. Yes.  
 23 Q. And did she give you job

Page 43

1 instructions, here is what you need to do  
 2 today?  
 3 A. Yes.  
 4 Q. Let you know what your schedule  
 5 was going to be?  
 6 A. Yes.  
 7 Q. Let you know if you had an issue  
 8 at work?  
 9 A. Yes.  
 10 Q. And did you go to them if you had  
 11 a specific question during the day about  
 12 something?  
 13 A. Yes.  
 14 Q. Has that been the case at  
 15 Caremark? You said you worked at Caremark?  
 16 A. Yes.  
 17 Q. When you worked at Caremark, did  
 18 you fill out an application?  
 19 A. I did online.  
 20 Q. And did somebody interview you?  
 21 A. Yes.  
 22 Q. And what job were you interviewing  
 23 for?

Page 44

1 A. Pharmacy technician.  
 2 Q. And did they ask you questions  
 3 related to being a pharmacy technician?  
 4 A. You actually had to pass the test.  
 5 Q. Okay.  
 6 A. And once I scored what they felt  
 7 was acceptable, they called you in for an  
 8 interview.  
 9 Q. Then you had to apply for a  
 10 license, send the money in for a license?  
 11 A. I did that after I gained like  
 12 ninety days of training and I was tested again.  
 13 And then I do have my license, yes.  
 14 Q. And as a pharmacy tech, you always  
 15 had to have a pharmacist there with you  
 16 on-site, correct?  
 17 A. Yes. The pharmacist actually  
 18 stood over you all the time.  
 19 Q. That was your supervisor?  
 20 A. No.  
 21 Q. Who was your supervisor?  
 22 A. I don't remember her name.  
 23 Q. Somebody other than a pharmacist?

11 (Pages 41 to 44)

Page 45

1 A. Yes.  
 2 Q. Was that supervisor there also?  
 3 A. Yes.  
 4 Q. During the day, on-site?  
 5 A. In the building.  
 6 Q. Were you ever terminated from any  
 7 of those jobs?  
 8 A. Yes.  
 9 Q. Which ones were you terminated  
 10 from?  
 11 A. Caremark for not being on time.  
 12 Q. Were you ever disciplined in any  
 13 of your jobs, get written discipline?  
 14 A. No.  
 15 Q. And the only time you have ever  
 16 been terminated was at Caremark?  
 17 A. At Caremark.  
 18 Q. Did any of the jobs that you have  
 19 ever held that we just talked about, at  
 20 Regions, Caremark, the job placement, the --  
 21 what was the name of that place, the temporary  
 22 agency, right?  
 23 A. (Nodding.)

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1 Q. At any of those, did you have to  
 2 pay any of them fees?  
 3 A. Yes.  
 4 Q. Okay. Who did you pay fees to?  
 5 A. At UAB, well, actually, they were  
 6 taken out my check.  
 7 Q. For what?  
 8 A. Parking, some courses that we had  
 9 to take like what they called continuing  
 10 educating units.  
 11 Q. Uh-huh.  
 12 A. That is it.  
 13 Q. Parking and continuing education  
 14 and maybe for benefits?  
 15 A. Yes.  
 16 Q. Any of them, did you have to pay  
 17 to live there? Did you live on-site with any  
 18 of those employers?  
 19 A. No.  
 20 Q. Did any of those employers provide  
 21 you with all your meals?  
 22 A. Not all my meals. But they did  
 23 feed us sometime at some of my jobs.

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1 Q. Did you pay for it, when they fed  
 2 you?  
 3 A. No.  
 4 Q. Did you go through counseling in  
 5 any of those jobs, like psychological  
 6 counseling or spiritual counseling?  
 7 A. No.  
 8 Q. Did they make you go through any  
 9 of that on any of those jobs?  
 10 A. No.  
 11 Q. Were any of those jobs providing  
 12 you any type of treatment or rehab for  
 13 dependency?  
 14 A. No.  
 15 Q. Tell me, what is The Lovelady  
 16 Center?  
 17 A. It is a treatment center for women  
 18 who are addicted to substances.  
 19 Q. What is its purpose?  
 20 A. I guess its purpose is to help the  
 21 women that are addicted to substances to better  
 22 themselves.  
 23 Q. When did you first hear about it?

Page 48

1 A. I Googled -- what did I Google? I  
 2 think I Googled treatment centers in  
 3 Birmingham, Alabama, and they were one of the  
 4 three that I looked up and decided to go check  
 5 out.  
 6 Q. Do you remember what the other  
 7 ones were?  
 8 A. Aletheia House and Olivia's House,  
 9 I think. Olivia's House.  
 10 Q. Why were you looking for a  
 11 treatment center?  
 12 A. I had lost my way a little, just  
 13 needed to get back on track with some things.  
 14 Q. Were you employed at the time?  
 15 A. No.  
 16 Q. Okay. Had you recently lost a  
 17 job?  
 18 A. No.  
 19 Q. Were you looking for employment at  
 20 the time you applied at Lovelady?  
 21 A. I can't -- I don't remember.  
 22 Q. Okay. What was your condition at  
 23 the time?

12 (Pages 45 to 48)



Page 49

1 A. What do you mean my condition?  
 2 Q. Were you suffering from drug  
 3 dependency?  
 4 A. Yes. That is why I went.  
 5 Q. Okay. Were there other things  
 6 going on in your life as a result of that drug  
 7 dependency that caused you to feel like you  
 8 needed to reach out for help?  
 9 A. Yes. My kids weren't staying with  
 10 me at the time.  
 11 Q. Had DHR taken your children?  
 12 A. Yes. Well, they were with their  
 13 father.  
 14 Q. Were you allowed to have your  
 15 children at that time legally or had they been  
 16 taken from you?  
 17 A. No, they had been taken from me.  
 18 Q. And did you think that going  
 19 through The Lovelady Center, if you made it  
 20 through their rehabilitation, that might enable  
 21 you to be able to get your children back?  
 22 A. That wasn't, no, the reason I  
 23 went -- I went for myself.

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1 Q. Tell me about that.  
 2 A. What do you mean?  
 3 Q. You went for yourself. What were  
 4 you trying to achieve?  
 5 A. It was for depending on  
 6 medication.  
 7 Q. Okay. To get off the substances  
 8 that you were on?  
 9 A. That's right.  
 10 Q. To get clean?  
 11 A. That's correct.  
 12 Q. Any other reason that you went?  
 13 A. No.  
 14 Q. Did you feel like you were  
 15 physically and emotionally capable of holding  
 16 down a job at the time that you were at  
 17 Lovelady?  
 18 A. Yes.  
 19 Q. You could hold down a job?  
 20 A. Yes.  
 21 Q. Even though you were suffering  
 22 from dependency issues, you could still go to  
 23 work?

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1 A. I was still functional.  
 2 Q. Functional? Okay. Had you ever  
 3 lost any jobs in the past due to dependency  
 4 issues or related to that?  
 5 A. No.  
 6 Q. No. From looking at the  
 7 documents, it looks like you enrolled in  
 8 January of 2012?  
 9 A. That's correct.  
 10 Q. Can you tell me about that? You  
 11 looked online and came across Lovelady Center  
 12 and a couple of other options for treatment?  
 13 A. Yes.  
 14 Q. And what was it about The Lovelady  
 15 Center that made you decide to pursue that,  
 16 that one instead of the others?  
 17 A. All the other ones, I felt like  
 18 they just weren't quick to call me back. One  
 19 wanted to put me on a waiting list. I guess  
 20 because a lot of times when I went, I didn't  
 21 have anything in my system. Because I wasn't  
 22 just out there, you know, and -- because when I  
 23 went to Lovelady, I was self. I wasn't

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1 court-ordered. Nobody made me to go. I went  
 2 on my own cognizance, you know.  
 3 Q. And when you went in, did you test  
 4 positive at that time when you went into  
 5 Lovelady?  
 6 A. I did.  
 7 Q. Do you have to test positive to  
 8 enroll?  
 9 A. I am not sure.  
 10 Q. Tell me about that. You called or  
 11 did you fill out something online or did you  
 12 just look them up online?  
 13 A. I just looked them up online. And  
 14 I called and called. And nobody called me  
 15 back, actually. So I just went over there.  
 16 And when I went over there, The Lovelady turned  
 17 me around too.  
 18 Q. Who did you talk to at Lovelady?  
 19 A. I can't think of her name. I  
 20 can't think of her name right now.  
 21 Q. Is there somebody that you  
 22 initially --  
 23 A. She was in the intake department.

13 (Pages 49 to 52)



Page 53

1 Q. Okay.  
 2 A. Somebody in intake.  
 3 Q. You met somebody at intake?  
 4 A. Uh-huh.  
 5 Q. And you talked to them?  
 6 A. Yes.  
 7 Q. Did you fill out an intake form?  
 8 A. Not at that time.  
 9 Q. Okay. Why not?  
 10 A. They said that they didn't have  
 11 any beds.  
 12 Q. Okay. So they had to have --  
 13 A. And that I didn't have the intake  
 14 fee either. She told me to come back with the  
 15 intake fee or either half of the intake fee and  
 16 they will see about getting me in the program  
 17 then.  
 18 Q. How much was the intake fee?  
 19 A. Five hundred dollars.  
 20 Q. So you looked online, found some  
 21 places, ended up going down to The Lovelady  
 22 Center; is that correct?  
 23 A. Yes.

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1 Q. Walked in.  
 2 A. Yes.  
 3 Q. Went and talked to somebody in the  
 4 intake department.  
 5 A. Yes.  
 6 Q. And at that time you were turned  
 7 away because they didn't have enough beds --  
 8 A. Yes.  
 9 Q. -- and because you didn't have the  
 10 intake fee.  
 11 A. Yes. I forgot what they called  
 12 the beds -- they have beds available, I guess,  
 13 if you were to come in and don't have any  
 14 money. I forgot what she referred to them as.  
 15 But they didn't have any at that time. But had  
 16 I had the five hundred dollar intake fee, I  
 17 could have been enrolled in the program that  
 18 day.  
 19 Q. They didn't have any beds  
 20 available for people who didn't have the  
 21 ability to pay for it?  
 22 A. That's correct.  
 23 Q. And did somebody call you back

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1 later or did you go back later?  
 2 A. No. I went back the next day.  
 3 Q. The next day?  
 4 A. Yes.  
 5 Q. Okay.  
 6 A. And this time I had my aunt with  
 7 me, and my aunt did most of the talking. And  
 8 they went ahead and accepted me in the program.  
 9 Q. Okay. So your aunt went to -- I  
 10 say aunt. You say aunt.  
 11 A. Yeah.  
 12 Q. -- went down to Lovelady with you.  
 13 Did y'all go back to intake again?  
 14 A. Yes.  
 15 Q. Do you remember who y'all talked  
 16 to?  
 17 A. I said I cannot think of her name.  
 18 But she was the one -- the main one that ran  
 19 intake.  
 20 Q. Okay. All right. And they  
 21 accepted you into the program?  
 22 A. Yes.  
 23 Q. Okay. When you went in, did you

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1 have to fill out a job application?  
 2 A. Not that I can remember.  
 3 Q. Did you interview for a job at  
 4 Lovelady when you first went there?  
 5 A. No, not that I can remember.  
 6 Q. You didn't go there looking to be  
 7 hired for a job; you went there for treatment,  
 8 correct?  
 9 A. Yes and no. I went there for  
 10 treatment, but in order to get the treatment, I  
 11 had to work.  
 12 Q. To pay for the beds --  
 13 A. Yes.  
 14 Q. -- and to pay for the treatment?  
 15 A. Yes. Because I didn't have any  
 16 money to -- and I didn't have anybody to give  
 17 me any money. So it was brought to my  
 18 attention in order to be in this program, you  
 19 had to have some kind of income or some kind of  
 20 money to pay your way through the program.  
 21 Q. Okay. All right. Does Lovelady  
 22 have people who work there full-time who are  
 23 not enrolled in the program?

Page 57

1 A. Yes.  
 2 Q. Okay. Like do you know Melinda?  
 3 A. Yes.  
 4 Q. She is sitting here today. Is she  
 5 enrolled in the program?  
 6 A. No.  
 7 Q. Was she when you went in?  
 8 A. No.  
 9 Q. Does she work with Lovelady?  
 10 A. Yes.  
 11 Q. Okay. So they have a group of  
 12 people who work at Lovelady helping with their  
 13 treatment program, their rehabilitation  
 14 program --  
 15 A. Yes.  
 16 Q. -- who are not enrolled in the  
 17 program?  
 18 A. That's correct.  
 19 Q. Okay. Have you ever been out to  
 20 Lovelady to apply for a job where you would not  
 21 be enrolled in the program, in the treatment  
 22 program?  
 23 A. While I was at The Lovelady?

Page 58

1 Q. Has there ever been a point when  
 2 you have been at Lovelady when you haven't been  
 3 enrolled in the program, in the treatment  
 4 program?  
 5 A. No.  
 6 Q. Anytime you have been at Lovelady,  
 7 you were enrolled?  
 8 A. Yes.  
 9 Q. And you were having to pay fees?  
 10 A. Yes.  
 11 Q. Did you ever submit a resume to  
 12 Lovelady?  
 13 A. Yes.  
 14 Q. You did?  
 15 A. You had to. That was actually one  
 16 of the ways to gain a signature to be moved up.  
 17 You had -- and you had to go online and you had  
 18 to set up an account with the Alabama  
 19 Department website. You had to submit your  
 20 resume and -- so, yes.  
 21 Q. Okay. Who were you submitting  
 22 that resume to?  
 23 A. Nobody in particular. It is a

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1 website that you go on like a jobs department  
 2 website. And it would just be out there for  
 3 anybody, almost like a monster.com.  
 4 Q. Uh-huh.  
 5 A. You had to do that.  
 6 Q. You weren't submitting that to  
 7 Lovelady for a job; you were creating one to  
 8 submit out to the general public, the  
 9 workforce?  
 10 A. Yes. But it was required of The  
 11 Lovelady. You had to get a signature stating  
 12 that you did that.  
 13 Q. Okay. Lovelady required you to  
 14 complete a resume to put out on this website  
 15 with other employers?  
 16 A. Yes.  
 17 Q. Is that correct?  
 18 A. Yes.  
 19 Q. And did you do that?  
 20 A. I did.  
 21 Q. When you first went into Lovelady  
 22 and you enrolled, did you have to pay any fees?  
 23 Did you have to pay your intake fee?

Page 60

1 A. No. I didn't have any money.  
 2 Q. They enrolled you in the program  
 3 without you paying the intake fee?  
 4 A. Yes.  
 5 Q. What was your understanding about  
 6 how you were going to pay for the intake fee?  
 7 A. That I was going to have to work  
 8 in order to get the fees paid down.  
 9 Q. Did you talk when you were at  
 10 Lovelady about a specific job that you were  
 11 going to perform when you first enrolled?  
 12 A. No. I was told which jobs that I  
 13 could do.  
 14 Q. Okay. When you first enrolled?  
 15 A. Yes.  
 16 Q. Wasn't it the first thirty days  
 17 that you didn't do any work?  
 18 A. I didn't.  
 19 Q. Is that correct?  
 20 A. That's correct.  
 21 Q. What did you do the first thirty  
 22 days?  
 23 A. Worked the program, just attended

15 (Pages 57 to 60)

Page 61

1 some classes.

2 Q. Did you go through some  
3 rehabilitation?

4 A. I attended some classes.

5 Q. What kind of classes?

6 A. A lot of my classes are like  
7 spiritual classes.

8 Q. Was that something you did  
9 throughout the time you were at Lovelady?

10 A. Yes.

11 Q. Was that a requirement?

12 A. Yes.

13 MR. CAMP: I need a bathroom break  
14 whenever you get a chance.

15 MR. MILLER: Okay. This is a good  
16 time.

17 (Whereupon, a break was had from  
18 10:05 a.m. until 10:13 a.m.)

19 Q. (BY MR. MILLER:) Ms. Bates, we  
20 are back on the record.

21 A. Okay.

22 Q. Let me show you what I am going to  
23 mark as Defendants' Exhibit 2.

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1 folks there at intake, this would have been one  
2 of the documents you would have filled out?

3 A. Yes.

4 Q. And it says Ms. Lott, L. Lott. Is  
5 that who you would have met with at intake?

6 A. Yes.

7 Q. Cindy Ledkins, was she also there,  
8 client representative?

9 A. I don't remember her being there.

10 Q. Okay. Did you have somebody  
11 called a client representative?

12 A. Not when I was filling out these  
13 papers.

14 Q. Okay. Did you later?

15 A. Yes.

16 Q. Okay. And what did the client  
17 representative do?

18 A. What do you mean do? Like what?

19 Q. What was their job? That was  
20 somebody who worked at Lovelady, the client  
21 representative?

22 A. Yes.

23 Q. Who was not enrolled in the

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1 (Defendants' Exhibit 2 was marked  
2 for identification.)

3 Q. (BY MR. MILLER:) And I ask you if  
4 that is your signature on that document.

5 A. Yes.

6 Q. And what is that document called?

7 A. Financial Obligation Agreement  
8 Between Resident and Lovelady Center/TLC,  
9 Residential Rehabilitation.

10 Q. Okay. It is a financial  
11 obligation?

12 A. Yes.

13 Q. All right. It has a date on  
14 there. It says January 23rd, 2012. I want to  
15 make sure that I am correct. Did you start  
16 there in January of 2012 or January of 2013?

17 A. It was 2012.

18 Q. It was 2012?

19 A. Yes.

20 Q. Okay. And you were there until --

21 A. February of 2014.

22 Q. Okay. All right. So you went in  
23 in January 2012. And when you met with the

Page 64

1 program?

2 A. Well, she had been through the  
3 program, but she was not enrolled in the  
4 program.

5 Q. Had graduated from it?

6 A. Yes.

7 Q. Okay. And was now working for  
8 Lovelady; is that correct?

9 A. Yes.

10 Q. What was their role? What was  
11 their job? What did they do, client reps?

12 A. They -- from my recollection, they  
13 would do like a tour of The Lovelady Center,  
14 showed you your room and gave you a set of  
15 guidelines of what were expected of you and  
16 what we expected of them.

17 Q. Was that somebody you could go to  
18 if you had questions while you were enrolled?

19 A. Yes.

20 Q. The client representative was like  
21 your person that you could go to with issues or  
22 questions?

23 A. One of the persons, yes.

16 (Pages 61 to 64)

Page 65

1 Q. Was there somebody else you could  
2 also go to?  
3 A. Yes.  
4 Q. Who was that?  
5 A. It was the counselors, the head of  
6 Lovelady, like Ms. Melinda.  
7 Q. Ms. Melinda who is sitting here?  
8 A. Yes.  
9 Q. Did you ever go talk to Melinda?  
10 A. Yes.  
11 Q. Did you know her while you were at  
12 Lovelady?  
13 A. Only when I needed to go talk to  
14 her.  
15 Q. Okay. How often did you go talk  
16 to her?  
17 A. I think I met with her maybe from  
18 my recollection, maybe three times.  
19 Q. Was she nice to you?  
20 A. Yes.  
21 Q. Was she helpful?  
22 A. Yes.  
23 Q. Did you feel like she was trying

Page 66

1 to help you?  
2 A. I can't -- I can't recall.  
3 Q. Was she a nice person?  
4 A. Yes.  
5 Q. Was there anything about her that  
6 you didn't like, that you had problems with?  
7 A. No.  
8 Q. Did you feel like she was in any  
9 way unfair to you?  
10 A. I can't recall at this time.  
11 Q. Not that you can remember?  
12 A. Not that I can remember.  
13 Q. Do you have any reason to believe  
14 Ms. Melinda is not an honest person?  
15 A. Yes.  
16 Q. And what is that?  
17 A. Simply because the basis of this,  
18 I don't feel like I was treated fair as regards  
19 to my work and my rate of pay, you know, while  
20 I was there. And we, you know, we used to say  
21 something all the time, but it didn't make any  
22 difference.  
23 Q. Who did you say something to?

Page 67

1 A. The client reps or somebody in job  
2 placement.  
3 Q. What did you say?  
4 A. Well, all the hours worked, I  
5 mean, my rent was -- sometimes, you know, it  
6 would be caught up, but I always incurred some  
7 kind of fee on there that I felt like I was  
8 working, it should have been taken care of.  
9 Because I was rarely in the Center. I was  
10 always somewhere working. I was rarely in my  
11 room is what I am saying.  
12 I was always somewhere working,  
13 whether it be chores, cleaning up the building,  
14 working at The Lovelady Center, and there was  
15 times that I couldn't buy myself something to  
16 eat, you know.  
17 Q. That is what you said to them?  
18 A. Uh-huh.  
19 Q. Anything else?  
20 A. That is all I can remember at this  
21 time.  
22 Q. Okay. So you felt like you should  
23 have been getting more money in?

Page 68

1 A. I want to say more money than I  
2 was actually being paid, simply because of the  
3 time that I worked, not something just given to  
4 me, what I had worked for.  
5 Q. Were you doing a lot of general  
6 maintenance and housekeeping stuff?  
7 A. Yes. From what I can remember.  
8 Q. Is that a pretty accurate general  
9 description of what you would have done inside  
10 The Lovelady Center?  
11 A. Inside the Center? No, I did  
12 security.  
13 Q. Did you do any housekeeping type  
14 things?  
15 A. Yes.  
16 Q. And maintenance type things?  
17 A. Not maintenance. I didn't fix  
18 anything.  
19 Q. Just housekeeping?  
20 A. Yeah. And I did security --  
21 Q. Okay.  
22 A. -- in there, like --  
23 Q. Well, that would be part of

17 (Pages 65 to 68)

Page 69

1 maintaining the Center, wouldn't it, having  
2 some security?

3 A. When I am thinking of maintenance,  
4 I am thinking of like fixing something.

5 Q. Okay.

6 A. So do you mean maintenance like  
7 repairing something? No, I never repaired  
8 anything.

9 Q. You helped maintain the Center by  
10 picking up, making sure that it was clean,  
11 making sure that general chores were done, that  
12 type of thing?

13 A. Yes, that was part of my work.

14 Q. That was part of what you are  
15 considering to be your work for Lovelady?

16 A. That was my work.

17 Q. That was your work?

18 A. Yes.

19 Q. Okay. If you look at what I have  
20 marked as Defendants' Exhibit 2, there's a line  
21 on there that says that The Lovelady would  
22 receive your food stamps. Do you see that?

23 A. I do.

Page 70

1 Q. Did you receive food stamps?

2 A. They did for me.

3 Q. You filled out a form asking for  
4 food stamps, correct?

5 A. Yes.

6 Q. And you got approved for food  
7 stamps?

8 A. I did.

9 Q. And did you turn those over to  
10 Lovelady?

11 A. I did.

12 Q. Was that to help pay for your food  
13 while you were there?

14 A. As far as I can recall.

15 Q. Okay. This document, Exhibit 2,  
16 also says you were paid zero dollars and five  
17 hundred dollars balance would be billed to you;  
18 is that correct?

19 A. Let me see. Okay. At the bottom?  
20 That's correct.

21 Q. And so you were having to pay a  
22 fee each week to be a part of the program?

23 A. Yes.

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1 Q. In addition to your initial intake  
2 fee, that covered you living there and food and  
3 a variety of other things that would go along  
4 day-to-day, counseling, all the things that  
5 would be into the program, right?

6 A. I'm not sure.

7 Q. You didn't know --

8 A. I don't know if I was made aware  
9 of that at the time.

10 Q. Let's look at the first line on  
11 there. Do you see that? "I am responsible for  
12 paying an intake fee of five hundred, and I  
13 also must pay four hundred and fifty, which  
14 covers the first three weeks." Do you see  
15 that?

16 A. Yes.

17 Q. Are those your initials, MB, right  
18 next to that?

19 A. Yes.

20 Q. And your signature on the bottom  
21 where it says "resident's signature"?

22 A. Yes.

23 Q. So you were aware of that, right?

Page 72

1 A. Yes, I was aware of that.

2 Q. And then it says, "I am  
3 responsible to pay a hundred fifty dollars or  
4 forty percent of my gross pay for participating  
5 in the program." That is on the second line.  
6 Do you see that?

7 A. Now, that, I wasn't made aware of  
8 that.

9 Q. Okay. Well, you --

10 A. I didn't understand what -- what  
11 they were talking about.

12 Q. Let's just read this, okay, with  
13 me?

14 A. Okay.

15 Q. "I understand I am responsible to  
16 pay a hundred fifty dollars or forty percent of  
17 my gross pay, depending on my specific program,  
18 weekly for participating in the program." Am I  
19 reading that correctly?

20 A. Yes.

21 Q. And right next to that there's a  
22 little line that has got two initials. What  
23 are those initials?



Page 73

1 A. MB.  
 2 Q. Are those your initials?  
 3 A. Those are my initials, yes.  
 4 Q. And then it has got your signature  
 5 on the bottom of this document, correct?  
 6 A. Yes.  
 7 Q. So you were, in fact, aware of  
 8 that, right? Because it says here, "I  
 9 understand it," and you initialed and signed  
 10 it.  
 11 A. I initialed this and I signed  
 12 this, but I wasn't like -- I didn't know my  
 13 rights at this time. I didn't understand all  
 14 what went into it.  
 15 Q. Okay.  
 16 A. Because really, honestly, it  
 17 was -- the financial -- the financial part of  
 18 it was really way above my head because it was  
 19 times I was thousands of dollars behind on  
 20 rent, so --  
 21 Q. All I am asking is, those are your  
 22 initials and your signature on that?  
 23 A. They are.

Page 74

1 Q. The one that says "I understand"?  
 2 A. Yes.  
 3 (Defendants' Exhibit 3 was marked  
 4 for identification.)  
 5 Q. (BY MR. MILLER:) I will show you  
 6 what I'm going to mark as Defendants'  
 7 Exhibit 3. Is that your signature on that  
 8 document?  
 9 A. It is.  
 10 Q. And it says you were voluntary or  
 11 court-ordered admission to The Lovelady Center.  
 12 Do you see that on the top?  
 13 A. I do.  
 14 Q. You were voluntary; is what you  
 15 told me?  
 16 A. Voluntary, self.  
 17 Q. And it says that you were eligible  
 18 for residential rehabilitation, right?  
 19 A. Yes.  
 20 Q. There's a line on there, Number 5,  
 21 that says, "I waive my rights to claim suit  
 22 against The Lovelady Center." Do you see that?  
 23 A. I do.

Page 75

1 Q. Okay. Are you suing The Lovelady  
 2 Center?  
 3 A. But I wasn't made aware of my  
 4 rights at the time when I signed this.  
 5 Q. I am just asking you, are you  
 6 suing The Lovelady Center?  
 7 A. I am involved in a case where I  
 8 was working overtime and I was not getting paid  
 9 to work overtime. So I am not -- I can't say  
 10 exactly if it is The Lovelady Center, is it  
 11 their fault? So I don't know.  
 12 Q. You don't know if it was The  
 13 Lovelady Center's fault or not?  
 14 A. I mean I know it is their fault  
 15 because I was there at The Lovelady Center and  
 16 I worked for The Lovelady Center. But I am  
 17 here simply to get money that was owed to me.  
 18 Q. Do you know who you are suing?  
 19 A. My -- who I worked for.  
 20 Q. Okay. Who was that?  
 21 A. The Lovelady Center.  
 22 Q. Okay. So you are suing The  
 23 Lovelady Center?

Page 76

1 A. Yes.  
 2 Q. Okay. Does your church give any  
 3 money to The Lovelady Center?  
 4 A. My church?  
 5 Q. Uh-huh.  
 6 A. I don't belong to a church.  
 7 Q. Or the one you went to before,  
 8 Temple.  
 9 A. No.  
 10 Q. Do you know if any churches give  
 11 money?  
 12 A. I don't know.  
 13 Q. I know my church does. Did you  
 14 ever see anybody there from Vestavia Baptist  
 15 Church at The Lovelady Center?  
 16 A. Not Vestavia.  
 17 Q. Any of the other Baptist churches?  
 18 A. No.  
 19 Q. You know churches, they had people  
 20 that would show up and volunteer, right?  
 21 A. Yeah.  
 22 Q. And they would give some money, to  
 23 your knowledge?

19 (Pages 73 to 76)



Page 77

1 A. I don't know.  
 2 Q. You didn't know --  
 3 A. I haven't seen any exchange of  
 4 monies.  
 5 Q. Okay. You don't know where they  
 6 get their money?  
 7 A. No.  
 8 Q. Do you want to sue the --  
 9 A. Well, from us, you know, the  
 10 clients.  
 11 Q. Yeah, do you think that is enough,  
 12 what you were paying, would that be enough to  
 13 pay for all the services they provided to you,  
 14 a hundred fifty dollars a week?  
 15 A. Services like what?  
 16 Q. Well, living there, food,  
 17 counseling, all the staff that was there.  
 18 A. I think it was too much.  
 19 Q. A hundred fifty dollars a week was  
 20 too much?  
 21 A. Yeah.  
 22 Q. Do you know what Bradford costs,  
 23 if you were to go to rehabilitation there?

Page 78

1 MR. CAMP: Objection. Get back on  
 2 track, please. This has nothing to do with her  
 3 employment.  
 4 MR. MILLER: Just object to the  
 5 form.  
 6 A. I object.  
 7 Q. (BY MR. MILLER:) No, you can't.  
 8 Overruled.  
 9 MR. CAMP: No, you can't --  
 10 Q. (BY MR. MILLER:) Do you know how  
 11 much it would cost to go to Bradford?  
 12 MR. CAMP: Same objection.  
 13 Q. (BY MR. MILLER:) You can answer.  
 14 A. I don't.  
 15 Q. Did you think Lovelady was taking  
 16 any risk bringing in people who were addicted  
 17 to drugs, having them all there together? Was  
 18 there any risk involved with that?  
 19 A. Risk like what?  
 20 Q. Like that they could get hurt or  
 21 that they might do something that they  
 22 shouldn't do that would cause The Lovelady to  
 23 have some liability?

Page 79

1 A. No.  
 2 Q. You understood when you signed  
 3 these documents that this was required of you  
 4 in order to enter the program?  
 5 A. No, not at the time.  
 6 Q. Oh, you didn't?  
 7 A. No.  
 8 Q. You thought they were just having  
 9 you sign them? Why did you think they had you  
 10 sign them?  
 11 A. I mean like when you go anywhere,  
 12 do anything with a company, they have you sign  
 13 papers. Like I guess like as far as like to --  
 14 to verify that you were there and that this was  
 15 that person and in a lot of cases, such as  
 16 these, to cover their end, you know.  
 17 Q. Okay. You told me you did live  
 18 on-site.  
 19 A. I did.  
 20 Q. But you didn't have any children  
 21 who lived there with you.  
 22 A. No.  
 23 Q. Did they ever come and visit you?

Page 80

1 A. Yes, on the weekends.  
 2 Q. Could they stay overnight?  
 3 A. Yes.  
 4 Q. So they did come and stay  
 5 overnight with you there?  
 6 A. Yes.  
 7 Q. Did you have to pay extra for them  
 8 when they came?  
 9 A. No.  
 10 Q. Was there some child care for them  
 11 if you needed it?  
 12 A. Child care?  
 13 Q. Through the Center.  
 14 A. Yes, there was some provided  
 15 through the Center, but my children didn't --  
 16 they couldn't use those services.  
 17 Q. They couldn't?  
 18 A. No.  
 19 Q. Why not?  
 20 A. Because the -- the hours that I  
 21 would have needed them, the KidZone was not  
 22 open. Because I primarily -- I worked  
 23 overnight. But most of the time if I knew my

20 (Pages 77 to 80)

Page 81

1 kids were coming for the weekend, I did not  
2 work. I scheduled off. And if I could not  
3 schedule off, I would have my roommate watch my  
4 kids.

5 Q. And your roommate would do that  
6 for you?

7 A. Yes.

8 Q. Would you ever watch anybody  
9 else's children when they needed help?

10 A. Yes.

11 Q. As a favor or --

12 A. Yes.

13 Q. Is that something y'all did for  
14 each other? Y'all were all kind of in the same  
15 boat, people who were enrolled in the program,  
16 right?

17 A. Yes.

18 Q. Did y'all sort of help each other  
19 out or try to?

20 A. Yes. Try.

21 Q. Was it that kind of environment, I  
22 mean, that you wanted to help each other out,  
23 everybody wanted each other to succeed, to get

Page 83

1 Q. Let's talk about when you were  
2 there, the services that were involved. You  
3 had rehabilitation; is that right?

4 A. Yes.

5 Q. Trying to get clean, get sober?

6 A. Yes.

7 Q. That was something that was  
8 worthwhile to you, to try to get clean?

9 A. Yes.

10 Q. You had counseling?

11 A. That was required.

12 Q. That was required as part of the  
13 program?

14 A. Part of the program.

15 Q. How often did you go to  
16 counseling?

17 A. We had to schedule a counseling  
18 appointment -- I can't put it in for how often  
19 you had to, but you just had to have so many  
20 signatures on the piece of paper.

21 Q. And then you had job services that  
22 was part of --

23 A. Yes, job placement.

Page 82

1 through it?

2 A. I can't speak for anybody else,  
3 just for myself.

4 Q. Were you encouraged to help each  
5 other out?

6 A. No, we weren't encouraged. It was  
7 just more so of if you were asked and you could  
8 do it, you did it. And if you couldn't do it,  
9 you didn't do it.

10 Q. Who fed your children when they  
11 came and visited you?

12 A. My kids are so picky they brought  
13 their own food. And I would buy outside food.  
14 Their dad would send money with them, and I  
15 bought food from restaurants.

16 Q. So could you do that, you were  
17 allowed to buy food and bring it in?

18 A. Yes, that is what I did most of  
19 the time because I didn't like their food.

20 Q. You didn't like Lovelady food?

21 A. No.

22 Q. Is that a no?

23 A. No.

Page 84

1 Q. Was there some training and a  
2 program called job readiness?

3 A. I don't remember that.

4 Q. You don't remember job readiness?

5 A. No.

6 Q. Or something similar to that that  
7 helped you get ready to go out and get a job?

8 A. No.

9 Q. Wasn't that part of the reason you  
10 submitted that resume online?

11 A. Yes. But I didn't need to get  
12 ready. I already knew how to apply for a job.  
13 I just did that to get a signature on a piece  
14 of paper.

15 Q. You didn't need to get ready to go  
16 out in the workforce?

17 A. No.

18 Q. But you didn't have a job when you  
19 showed up?

20 A. No.

21 Q. And had you created a resume  
22 before?

23 A. Yes.

21 (Pages 81 to 84)

Page 85

1 Q. You did?  
 2 A. I already had my resume.  
 3 Q. Do you have a resume right now?  
 4 A. Not with me. I have one.  
 5 Q. A current, up-to-date resume?  
 6 A. It is not up to date.  
 7 Q. When did you last update it?  
 8 A. 2011.  
 9 Q. So you enrolled in Lovelady in  
 10 2012 and the last time you had updated your  
 11 resume was 2011?  
 12 A. (Nodding.)  
 13 Q. Is that correct?  
 14 A. Yes.  
 15 Q. And other than the one you did at  
 16 Lovelady that was submitted online to the State  
 17 of Alabama agency, you haven't ever done  
 18 another resume?  
 19 A. No.  
 20 Q. Is that correct?  
 21 A. That's correct.  
 22 Q. What about money management, did  
 23 you have some classes on managing your money,

Page 86

1 managing your finances?  
 2 A. No, I didn't.  
 3 Q. You didn't do any of that?  
 4 A. No.  
 5 Q. What about interviewing skills,  
 6 did you have any classes on that?  
 7 A. No.  
 8 Q. No? What about how to dress,  
 9 professional dress, any kind of training or  
 10 classes on that while you were at Lovelady?  
 11 A. No.  
 12 Q. No? Okay. Other educational  
 13 courses, did you take any type of educational  
 14 training when you were there?  
 15 A. No.  
 16 Q. Religious services, did you go to  
 17 religious --  
 18 A. Yes.  
 19 Q. -- services and --  
 20 A. You had to.  
 21 Q. You had to?  
 22 A. (Nodding.)  
 23 Q. Was that helpful to you?

Page 87

1 A. I can't tell you one way or  
 2 another.  
 3 Q. Okay. Transportation, is that  
 4 something that was provided or that you paid  
 5 for when you were there?  
 6 A. Yes.  
 7 Q. Well, they deducted it from your  
 8 fees. So if you were going to be transported  
 9 somewhere, you paid for it?  
 10 A. Yes.  
 11 Q. Just like you would if you weren't  
 12 living there, if you wanted to take a bus  
 13 somewhere or a cab somewhere, you would pay for  
 14 it, right?  
 15 A. Yes.  
 16 Q. Okay. As I understand it, when  
 17 you first come in, there's something called  
 18 Phase I; is that correct?  
 19 A. That's correct.  
 20 Q. Is that the first thirty days?  
 21 A. Yes.  
 22 Q. Or I guess it could go longer if  
 23 you didn't progress past Phase I?

Page 88

1 A. That's correct.  
 2 Q. And what you do there is you  
 3 basically get clean, get sober?  
 4 A. I guess. I mean I was already  
 5 sober.  
 6 Q. Well, you tested positive when you  
 7 came in.  
 8 A. I know. But they tested me like  
 9 three days later and I didn't have anything in  
 10 my urine.  
 11 Q. So it was just left over, residual  
 12 things that were in your system?  
 13 A. Yes.  
 14 Q. And it was gone three days later?  
 15 A. Yes.  
 16 Q. Okay. Did you later test positive  
 17 while you were at the Center?  
 18 A. Yes. It was some months later,  
 19 like I think about a year, almost.  
 20 Q. When you went to the hospital to  
 21 visit a family member, when you came back, you  
 22 tested positive, right?  
 23 A. Yes.

22 (Pages 85 to 88)

Page 89

1 Q. They didn't kick you out of the  
2 program, did they?  
3 A. No, not at that time.  
4 Q. It was after you tested positive  
5 again --  
6 A. (Nodding.)  
7 Q. -- that you were kicked out of the  
8 program, right?  
9 A. That's correct.  
10 Q. Have you gone to any other  
11 programs since Lovelady for rehabilitation?  
12 A. No.  
13 Q. When you were in Phase I, were you  
14 doing any type of work inside The Lovelady or  
15 outside?  
16 A. Inside The Lovelady.  
17 Q. Okay. What were you doing?  
18 A. Just chores.  
19 Q. What kind of chores?  
20 A. Like cleaning up, taking out the  
21 trash, that is pretty much what I did. I kept  
22 my client rep's office clean.  
23 Q. Did you get some type of credit

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1 for that?  
2 A. You got a signature.  
3 Q. For however many hours you worked?  
4 A. Yes.  
5 Q. Did sometimes when you did a job,  
6 say, take out the trash, did they give you more  
7 credit than the time you actually spent?  
8 A. No.  
9 Q. That never happened to you?  
10 A. No.  
11 Q. Say if you will take out the  
12 trash, we will give you two hours of credit,  
13 anything like that?  
14 A. No.  
15 Q. It was always the actual time that  
16 you spent?  
17 A. Yes. That is why my fees and  
18 stuff got behind when I did start working.  
19 Like I said, I was never caught up. I was  
20 always behind. They started adding up.  
21 Q. When you left, were you caught up  
22 or were you behind?  
23 A. When I left, I was caught up.

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1 Q. Didn't owe anything?  
2 A. No, because they kept my last  
3 check.  
4 Q. Did you have some money in your  
5 pocket when you left?  
6 A. No.  
7 Q. In your bank account?  
8 A. No.  
9 Q. Do you have a bank account?  
10 A. No.  
11 Q. Have you ever had a bank account?  
12 A. Yes.  
13 Q. When did you last have one?  
14 A. 2011.  
15 Q. So Phase I, you were basically  
16 getting clean, getting acclimated in the  
17 program; is that right?  
18 A. Yes.  
19 Q. Doing some chores internally?  
20 A. Yes.  
21 Q. And when you did those chores, you  
22 were writing your time down?  
23 A. No. I wasn't writing the time

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1 down. I was getting signatures from my client  
2 rep. She would just sign a piece of paper  
3 saying I did that.  
4 Q. You did your chores.  
5 A. Yes.  
6 Q. How many hours were you spending  
7 doing chores at that first phase?  
8 A. Hours totaling the whole month or  
9 daily?  
10 Q. That thirty days.  
11 A. I don't remember.  
12 Q. Was it mostly spent going through  
13 counseling and rehab?  
14 A. Yeah, and doing the classes that  
15 they required you to do.  
16 Q. After that thirty days, did you  
17 get to the next phase?  
18 A. Yes.  
19 Q. Phase II?  
20 A. Yes.  
21 Q. What does Phase II involve?  
22 A. I was able to apply for a job at  
23 The Lovelady Center to work to where I can --

23 (Pages 89 to 92)

Page 93

1 because my client rep, she kept getting on me,  
2 on my fees, and my fees was getting high. So I  
3 had to apply for, you know, work. So that is  
4 when I did The Lovelady security.

5 Q. Who did you go talk to about  
6 working in security?

7 A. Shanae. I can't think of her last  
8 name. I just remember Shanae.

9 Q. What department or area was she  
10 in?

11 A. She was over security.

12 Q. So you just went and you said I am  
13 going to work in security and you went and  
14 talked directly to Shanae?

15 A. Yes.

16 Q. You didn't go through Lovelady's  
17 human resources department?

18 A. Not that I can remember. I mean  
19 she had to. She had to make sure I was cleared  
20 to do it.

21 Q. Was she an employee of Lovelady?

22 A. No. She was actually in the  
23 program.

Page 95

1 Q. Billy club?

2 A. Huh-uh.

3 Q. You never had to throw anybody on  
4 the ground and frisk them?

5 A. No. We didn't have to throw them  
6 on the ground, but we did have to search them.

7 Q. When people came into the Center,  
8 you checked to make sure they weren't bringing  
9 drugs or guns or anything like that?

10 A. Yes.

11 Q. And you checked their rooms to  
12 make sure people didn't have drugs or anything  
13 that they weren't supposed to have?

14 A. That's correct.

15 Q. At that time when you were in  
16 Phase II, were you still going through your  
17 counseling and religious services?

18 A. Yes. You had to do everything  
19 else.

20 Q. When you were at Lovelady, did you  
21 ever get any type of written employment  
22 agreement, saying you are an employee, here is  
23 what your job consists of?

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1 Q. She was? Shanae was in the  
2 program?

3 A. Yes.

4 Q. Okay. Did you fill out an  
5 application for security?

6 A. No.

7 Q. Do you have any security  
8 background? Had you ever been a security guard  
9 before?

10 A. No.

11 Q. Any experience at all being  
12 security?

13 A. For what they needed, yeah.

14 Q. What was it that they needed?

15 A. I mean just basically when the  
16 clients came in or anybody came in to the  
17 Center, I just had to check their purses and  
18 their bags to make sure they weren't bringing  
19 in anything that wasn't allowed in the Center.  
20 And I had to do room checks.

21 Q. So you weren't carrying a weapon  
22 or anything like that?

23 A. No.

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1 A. Yes. There was a piece of paper I  
2 had to sign.

3 Q. What did that piece of paper say?

4 A. Stating the duties of what I had  
5 to do and that I completed them. I had to sign  
6 like every night of what I did, like what rooms  
7 I checked and what area of the building that I  
8 checked. And that was given to like the head  
9 lady that was over --

10 Q. You were signing a task sheet and  
11 said here is what I did today?

12 A. Yes.

13 Q. But that is not what I am asking  
14 about. I appreciate it. Thank you for telling  
15 me that. But what I am asking about, did you  
16 ever have any type of agreement that said you  
17 were going to be an employee of Lovelady and  
18 here is what your job is going to be, here is  
19 what you are going to be paid, that type of  
20 detail and you signed it and they signed it,  
21 where you had an agreement like a contract to  
22 be an employee?

23 A. Well, I was made aware that how



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1 they calculated up the hours and how they  
2 decided what was the rate of pay and what was  
3 on -- how my rent and my fees were going to be  
4 handled, yes.

5 Q. Okay. Was that done verbally, you  
6 talked about it?

7 A. From what I can remember, I  
8 remember signing something with my client rep.

9 Q. You do?

10 A. Yes.

11 Q. Okay. Do you remember what that  
12 piece of paper was?

13 A. No. I don't. They should have  
14 it. They have all these other papers.

15 Q. I'm asking you if you have it.

16 A. I don't have it.

17 Q. Do you remember what it said?

18 A. Just describing my work, what I  
19 would be doing at that time. I guess they had  
20 to have an account for every client, you know,  
21 stating what I would be doing and how I would  
22 be compensated for what I would be doing.

23 Q. How would that work? Tell me how

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1 A. I never worked the Success  
2 program, no.

3 Q. You never worked the Success  
4 program?

5 A. No.

6 Q. What was the Success program?

7 A. I don't know. I am reading it  
8 now.

9 (Pause.)

10 A. Yeah, I didn't do the Success  
11 program.

12 Q. (BY MR. MILLER:) Are you sure?

13 A. I am positive.

14 Q. Okay. Are you sure the Success  
15 program wasn't part of Phase II and that your  
16 working security maybe was not part of that?

17 A. No, not to my knowledge, no. I  
18 never did a two-page summary -- first, I have  
19 never seen this.

20 Q. Okay. As far as you know, you  
21 weren't even in the Success program?

22 A. No. I was not in the Success  
23 program.

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1 you were going to be compensated.

2 A. My fees were going to be taken  
3 care of, this five hundred dollar intake fee  
4 and that nine hundred and fifty dollars that  
5 was put upon me while I wasn't working.

6 Q. You say put upon you?

7 A. Yeah, I mean, you know, that I had  
8 incurred while I was not working.

9 Q. That you agreed to?

10 A. Yeah, I agreed to it. But had I  
11 had it that day, it would not have been behind.

12 Q. Okay.

13 A. And the hundred and fifty dollars  
14 or forty percent of my gross pay.

15 (Defendants' Exhibit 4 was marked  
16 for identification.)

17 Q. (BY MR. MILLER:) Let me show you.  
18 Did you ever see or sign a piece of paper that  
19 looked like this that described the Success  
20 program?

21 A. No. I never worked the Success  
22 program.

23 Q. You what?

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1 Q. Did you understand that your  
2 general chores like housekeeping and the  
3 maintenance stuff that you testified about,  
4 that you were going to do that without having  
5 to be compensated?

6 A. No.

7 Q. You didn't?

8 A. I thought anything that I did, I  
9 was going to be compensated for.

10 Q. You did?

11 A. (Nodding.)

12 Q. Okay.

13 (Defendants' Exhibit 5 was marked  
14 for identification.)

15 Q. (BY MR. MILLER:) Is that your  
16 signature on this document that I have just  
17 given you as Defendants' Exhibit 5?

18 A. It is.

19 Q. Okay. That is your signature down  
20 on the bottom?

21 A. Yes.

22 Q. Okay. It is dated January 23rd,  
23 2012?



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1 A. Yes.  
2 Q. That would have been when you  
3 first came in?  
4 A. Yes.  
5 Q. There's a witness on there, right?  
6 A. Yes.  
7 Q. Do you remember signing this  
8 document?  
9 A. I don't remember signing it.  
10 Q. But it is your signature?  
11 A. It is.  
12 Q. Okay. And it says on here that  
13 each resident has the right to know that the  
14 performance of all assigned housekeeping and  
15 general maintenance duties may be performed  
16 without compensation. Do you see that?  
17 A. I wasn't aware of that at the  
18 time.  
19 Q. Well, you did sign this document.  
20 A. Yes, I signed a stack of papers  
21 that was just thrown in front of me.  
22 Q. They were thrown in front of  
23 you --

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1 A. You had to sign them. That is why  
2 my signature looked like that.  
3 Q. Do you typically sign stuff  
4 without reading it?  
5 A. If I trust somebody.  
6 Q. You just sign it?  
7 A. If I feel like I am not getting  
8 taken advantage of. And I didn't see any  
9 reason I -- not to sign it.  
10 Q. So you worked security there. How  
11 long did you work security?  
12 A. Up until I started working at  
13 Blackwell's Way.  
14 Q. Okay. When did you start working  
15 at Blackwell's Way?  
16 A. I think in April of 2013.  
17 Q. April of 2013?  
18 A. Yes.  
19 Q. How did that come about?  
20 MR. CAMP: Hold on a second.  
21 (Off-the-record discussion.)  
22 (Whereupon, a break was had from  
23 10:50 a.m. until 10:58 a.m.)

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1 Q. (BY MR. MILLER:) Okay. We are  
2 going back on the record if you are ready.  
3 A. Yes.  
4 Q. Ms. Knox will be back in a second.  
5 When we went off the record, I think we were  
6 talking a little bit about the Success program.  
7 You said you didn't remember being in the  
8 Success program.  
9 A. No.  
10 Q. As I understand it, the work that  
11 you did, you received money that allowed you to  
12 pay for your expenses, the money that you owed  
13 the Center.  
14 A. Yes.  
15 Q. Is that right?  
16 A. Yes.  
17 Q. Did you ever get to a point where  
18 you were making more than what you owed the  
19 Center?  
20 A. Yes.  
21 Q. Okay.  
22 A. When I started working at  
23 Blackwell's.

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1 Q. Okay. You started working at  
2 Blackwell's. Did you have to be in Phase III  
3 or was that part of Phase II?  
4 A. Honestly, I don't know what phase  
5 I was in when I started at Blackwell's.  
6 Because I was working so much trying to get my  
7 fees down, a lot of the times I didn't get my  
8 signatures to phase up. So I couldn't tell you  
9 how -- if I was in Phase II or Phase III.  
10 Q. Okay. Now, as part of the  
11 program, you had to work some voluntary hours,  
12 right?  
13 A. Yes.  
14 Q. That was part of the arrangement?  
15 A. That was part of it, but I thought  
16 anytime that I worked that I was going to be  
17 compensated for it.  
18 Q. I'm not asking you what you want  
19 to tell me you thought now. I am asking you,  
20 when you came in, you understood that you had  
21 to do volunteer hours?  
22 A. Yes.  
23 Q. And that was a requirement of the

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1 program in order to graduate, right?  
 2 A. I guess to phase up, yeah.  
 3 Q. Well, to graduate?  
 4 A. To graduate, yes.  
 5 Q. And those volunteer hours could be  
 6 at The Lovelady Center or they could be out in  
 7 the community, correct?  
 8 A. I'm not sure.  
 9 Q. Well, did you ever do any  
 10 volunteer work out in the community?  
 11 A. No.  
 12 Q. None at all?  
 13 A. No.  
 14 Q. Have you ever done any voluntary  
 15 work out in the community since you have been  
 16 at Lovelady Center?  
 17 A. No.  
 18 Q. Did you ever do any voluntary work  
 19 out in the community before?  
 20 A. No.  
 21 Q. So tell me about Blackwell's. How  
 22 did that come about?  
 23 A. Because my fees were never getting

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1 caught up, my client rep suggested that I apply  
 2 for an outside job at Blackwell's.  
 3 Q. And how did you apply for that?  
 4 A. I went to job placement and told  
 5 them that I wanted to work at Blackwell's. And  
 6 that is it.  
 7 Q. And then what happened?  
 8 A. I started working at Blackwell's.  
 9 Q. Okay. Where was Blackwell's  
 10 located?  
 11 A. In Pinson, Trussville.  
 12 Q. Okay. And did you take a bus that  
 13 took you there or a car or how did you get  
 14 there?  
 15 A. Transportation, The Lovelady  
 16 transportation.  
 17 Q. Did they provide it, Lovelady  
 18 provided you transportation there and back?  
 19 A. Yes.  
 20 Q. Was that part of your fee, your  
 21 weekly fee, that transportation?  
 22 A. It was included.  
 23 Q. It was included?

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1 A. Yes.  
 2 Q. And so you would get in the  
 3 transportation. You would take the  
 4 transportation, go to Blackwell's, right?  
 5 A. Yes.  
 6 Q. And what would you do when you got  
 7 there?  
 8 A. I would do my job. I worked.  
 9 Q. What was your job?  
 10 A. To feed -- well, prepare, cook the  
 11 food for the client, give them their  
 12 medication, bathe them or change their clothes  
 13 if they needed -- some of the clients, they  
 14 could do for themselves; some couldn't. Some  
 15 of them you just had to watch to, you know,  
 16 keep them safe. Some of them would try to run  
 17 out in the middle of the street.  
 18 Q. When you say clients, what was  
 19 Blackwell's? What service did they provide?  
 20 A. They were in like a group home,  
 21 what was considered a group home for the  
 22 mentally impaired.  
 23 Q. Okay. And did you have some

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1 training out at Blackwell's when you got there  
 2 about what you were supposed to do?  
 3 A. Yes.  
 4 Q. Okay. Who gave you that training?  
 5 A. I don't remember their name. They  
 6 were at Haymon Homes, H-A-Y-M-O-N-S.  
 7 Q. Did you ever work at Haymon Homes?  
 8 A. I did my training at Haymon Homes.  
 9 Q. Okay.  
 10 A. But I didn't actually go out to  
 11 the house at Haymon Homes. I came right back  
 12 to go to Blackwell's.  
 13 Q. Was it a person who was at  
 14 Lovelady who trained you for Blackwell's or was  
 15 it somebody who worked at Blackwell's or  
 16 Haymon?  
 17 A. Somebody that worked at  
 18 Blackwell's or Haymon.  
 19 Q. They told you what jobs you needed  
 20 to do, how you needed to do it, that type of  
 21 thing?  
 22 A. And they certified us for -- to  
 23 give medication. You had to take a test in

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1 order to be able to give medication to one of  
2 the residents.

3 Q. And you had some nursing training  
4 already, right?

5 A. Yes.

6 Q. So that was helpful, you were  
7 able --

8 A. Yes.

9 Q. Did that give you a leg up on  
10 knowing what to do, do you feel like?

11 A. Not really, no.

12 Q. So you went through the training.

13 A. (Nodding.)

14 Q. Is that a yes?

15 A. Yes.

16 Q. And then once you completed the  
17 training, you actually went and worked at  
18 Blackwell's?

19 A. I did.

20 Q. And that is not on the same  
21 location as Lovelady, right, not the same --

22 A. No. Haymon Homes is in -- it is  
23 in another part of Alabama. I can't think of

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1 were going to go to each day? She would give  
2 you your assignment?

3 A. Well, she told -- I can't remember

4 who it was at job placement at that time.

5 Somebody at job placement in The Lovelady put  
6 this person at this house.

7 Q. Okay.

8 A. She communicated to that person.

9 And the person in job placement, there was so  
10 many of them -- it first started out Holly, and  
11 then two more girls ended up being in there  
12 because some of them got dismissed or whatever.  
13 And they would give us our schedule and tell us  
14 where to work.

15 Q. That came from Blackwell's, they  
16 communicated it to --

17 A. To somebody at The Lovelady.

18 Q. So they could organize it so  
19 everybody would know where they were supposed  
20 to go?

21 A. Yes.

22 Q. So you would get right there each  
23 day?

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1 where. But --

2 Q. Okay.

3 A. It was like about an hour drive.

4 Q. Okay. When you got there each day  
5 at Blackwell's, did you go see somebody and  
6 find out where you were assigned for that day  
7 or what you were supposed to do or how did that  
8 work?

9 A. No. That was already given to us.  
10 We already knew the house that we were going to  
11 work at, unless something changed at the last  
12 minute.

13 Q. Who told you what house you were  
14 going to work at?

15 A. The supervisor.

16 Q. Okay. Who was your supervisor?

17 A. LaDedra Colvin.

18 Q. And who did she work for?

19 A. Blackwell's Way.

20 Q. And had she been there a long  
21 time?

22 A. I'm not sure. I don't remember.

23 Q. So she told you what house you

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1 A. Yes.

2 Q. So you wouldn't have to come in  
3 and figure out where you were going and all  
4 that?

5 A. Yes.

6 Q. When you went, was there somebody  
7 who you reported to on a day-to-day basis at  
8 Blackwell's who was your supervisor?

9 A. Not that I reported to. But if  
10 you needed something, there was somebody, a  
11 nurse you can call.

12 Q. Was the nurse your supervisor?

13 A. No, she wasn't my supervisor.

14 Q. Who looked over you while you were  
15 at Blackwell's?

16 A. Well, while we were in the homes,  
17 it was just us and the clients.

18 Q. But if you had an issue, who did  
19 you go to?

20 A. While we were at work?

21 Q. Yes.

22 A. I would go to -- I would call the  
23 nurse.

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1 Q. And what kind of things would you  
2 call the nurse for?

3 A. If it was a medication error, if  
4 one of the clients acted out and needed medical  
5 attention or something.

6 Q. All right. If you had a question  
7 about something, what am I supposed to do in  
8 this situation, who would you call?

9 A. The nurse.

10 Q. Did Lovelady have anybody that  
11 they sent up who was in the home with you every  
12 day?

13 A. No.

14 Q. You didn't have a supervisor  
15 on-site at Blackwell's who worked at Lovelady?

16 A. Not that I can remember. But if I  
17 had an issue with anything at any time, I could  
18 call my client rep.

19 Q. About anything, right?

20 A. Yes.

21 Q. Okay. How much were you paid at  
22 Blackwell's?

23 A. What do you mean like pay?

1 Q. Do you know if Lovelady owned the  
2 building where Blackwell's Way was?

3 A. I don't know.

4 Q. Do you know if they owned or  
5 leased any of it?

6 A. I don't know.

7 Q. You don't know? Did you  
8 understand that the nurse, if you did something  
9 you weren't supposed to do, that the nurse at  
10 Blackwell's could fire you?

11 A. No.

12 Q. No?

13 A. (Shaking head.) I thought my  
14 client rep, you know, told me if I could or  
15 couldn't go back to work.

16 Q. Okay. You thought your client  
17 rep, who was not with you on a day-to-day  
18 basis, right? Is that correct?

19 A. Yes.

20 Q. Didn't observe what you were doing  
21 on a day-to-day basis, did she?

22 A. Yes. They could still decide  
23 whether or not I could go back to work.

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1 Q. Were you paid by the hour?

2 A. An hour? Yes, we were paid  
3 hourly.

4 Q. Who decided what your hourly rate  
5 was going to be?

6 A. The Lovelady.

7 Q. How do you know that?

8 A. Because they just told us that is  
9 what it would, you know, be. Minimum wage, I  
10 guess.

11 Q. Okay. So you were paid minimum  
12 wage?

13 A. Yes.

14 Q. Do you know how you got paid, how  
15 that money came through? Did Blackwell's send  
16 it to Lovelady and they then cut a check to  
17 you?

18 A. I guess that is how they did it.  
19 I'm not sure.

20 Q. You don't even know?

21 A. No.

22 Q. Did you ever ask?

23 A. No.

1 Q. I am asking you, your client rep  
2 didn't observe you on a day-to-day basis?

3 A. But they still decided --

4 Q. Did your client rep observe you on  
5 a day-to-day basis?

6 A. Yes, inside the Center.

7 Q. No, at Blackwell's.

8 A. Oh, no.

9 Q. So they wouldn't know if you were  
10 doing a good job or not unless somebody at  
11 Blackwell's specifically told them, right?

12 A. Yes.

13 Q. Somebody at Blackwell's would have  
14 to call and say don't send her back?

15 A. Yes.

16 Q. Is that correct?

17 A. That's correct.

18 Q. Okay. Let's go back a little bit  
19 on your chores. Tell me what kind of type of  
20 internal chores you did when you were at  
21 Lovelady.

22 A. Well, sweep the steps, sweep and  
23 mop the entranceway of the Center when you

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1 first come in. They had these common areas  
2 where you could heat up food. You just have to  
3 take the trash out there, clean and wipe down  
4 the counters there. Take out trash. Vacuum  
5 carpet. What else did I do? That was pretty  
6 much it.

7 Q. Would you pick what you did?

8 A. No, you was told.

9 Q. Who told you, hey, do this chore?

10 A. The person that was over the  
11 chores.

12 Q. Who was over the chores?

13 A. Whoever assigned -- whoever was  
14 assigned to give out chores. It wasn't the  
15 same person at all times.

16 Q. Have you ever had a job in the  
17 outside world, outside Lovelady, where you  
18 would have done chores like you did at  
19 Lovelady?

20 A. Not -- what do you mean like  
21 outside world?

22 Q. Well, in another job, outside for  
23 the bank or for Caremark or any of these other

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1 Q. So when you were a sitter you did  
2 chores?

3 A. Yes.

4 Q. In addition to watching that  
5 person?

6 A. Yes.

7 Q. That is a job that you applied  
8 for, interviewed for and all that, the Awesome  
9 Sitter service?

10 A. Yes.

11 Q. And you didn't live on-site with  
12 the person that you were doing the chores for?

13 A. No, I didn't live with them, no.

14 Q. Did some of your chores at  
15 Lovelady include picking up after yourself,  
16 keeping your room clean, that type of thing?

17 A. Yes, that was required of us.

18 Q. Cleaning common areas that you and  
19 others would use?

20 A. Yes.

21 Q. When you did a chore, did you  
22 write down your time, keep track of it?

23 A. No, I didn't, but the person that

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1 jobs you have done --

2 A. If I was getting paid for it and  
3 it was in my job description.

4 Q. If you what?

5 A. If I was getting paid for it and  
6 it was in my job description.

7 Q. But have you ever had a job where  
8 your job was to do chores?

9 A. Yes.

10 Q. Okay. What job was that?

11 A. When I worked in the home health  
12 agency, we had to clean the client's house, you  
13 know, clean up behind them because they  
14 couldn't. They were old. Wash their clothes,  
15 cook for them.

16 Q. That is where you were doing  
17 everything for that particular client?

18 A. Yes.

19 Q. Okay. And when was that?

20 A. When I worked for Awesome Sitter  
21 service.

22 Q. Awesome Sitter service?

23 A. Uh-huh.

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1 was giving out the chores, they would have a  
2 piece of paper from the client rep that had all  
3 that client rep's clients listed on it. And  
4 they would write what chore they did. And they  
5 went behind and checked to make sure that that  
6 chore was completed. And that was handed over  
7 to my client rep.

8 Q. What was that called? Was that an  
9 opportunity credit?

10 A. The chore?

11 Q. (Nodding.)

12 A. No, that was called work.

13 Q. How did you get an opportunity  
14 credit? Didn't you have a sheet called  
15 opportunity credits?

16 A. Yes.

17 Q. And what did you use that for?

18 A. That was when I first started  
19 working for Carraway, doing the security at  
20 Carraway.

21 Q. At Carraway?

22 A. Yes.

23 Q. When you were at Lovelady?



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1 A. Yes.

2 Q. When you say Carraway, was that  
3 the location?

4 A. That was their other location. We  
5 went over there and were supposed to keep folks  
6 off the property.

7 Q. So when you were doing the  
8 security work at Carraway, you filled out a  
9 sheet that was called opportunity credits?

10 A. Yes.

11 Q. Let me show you one.  
12 (Defendants' Exhibit 6 was marked  
13 for identification.)

14 Q. (BY MR. MILLER:) We are on 6?

15 A. Yes.

16 Q. Is that the type of sheet that you  
17 would have for an opportunity credit?

18 A. Yes.

19 Q. What does this show? Go through  
20 this with me and tell me what it shows.

21 A. It is showing -- what do you mean?

22 Q. Well, when you were working  
23 security, you were writing down the time that

1 A. I'm sorry. I didn't date it, but  
2 it's dated by Shanae.

3 Q. (BY MR. MILLER:) You understood  
4 that some of your work that you did internally  
5 was going to get credited toward your volunteer  
6 hours?

7 A. No, I didn't.

8 Q. You didn't? Where did you think  
9 you were going to get those volunteer hours if  
10 you weren't going outside to do any --

11 A. I didn't think I was volunteering  
12 to do anything.

13 Q. Oh, you didn't?

14 A. No.

15 Q. You didn't think you had to do any  
16 volunteer hours; is that your testimony?

17 A. Not while I was working, no.

18 Q. When were you going to do them if  
19 it wasn't when you were working? How were you  
20 going to get those volunteer hours?

21 A. I don't know.

22 Q. They were just going to magically  
23 appear?

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1 you started and the time you stopped?

2 A. Yeah, the time I started and the  
3 time I break for lunch and then the time I go  
4 back in.

5 Q. And this shows ten of those hours  
6 were considered to be voluntary hours?

7 A. I don't know because when I signed  
8 this, only twenty-five was there. That minus  
9 ten wasn't there. This was added after.

10 Q. The twenty-five was there?

11 A. Yes.

12 Q. Okay. How do you remember what  
13 was on there when you signed it?

14 A. Because I would have asked her why  
15 she is taking ten off.

16 Q. Do you remember signing this on  
17 March 18th, 2013?

18 A. Mine says April the 2nd, 2013.

19 Q. Oh, you have got the April. Okay.  
20 April 2nd, 2013?

21 A. Yes. I didn't date it. It was  
22 dated by Shanae.

23 THE REPORTER: I'm sorry?

1 A. I didn't think they were going to  
2 magically appear. I just wasn't thinking about  
3 them at that time.

4 Q. But you knew that you had to have  
5 them to graduate?

6 A. Yes.

7 Q. And that that was part of the  
8 program?

9 A. But I was always working to get my  
10 fees down to even maintain at the Center. If I  
11 didn't work to get the fees down, I was going  
12 to be dismissed for nonpayment.

13 Q. And you understood that that was  
14 part of the program, though, was to do  
15 volunteer work, have a certain number of  
16 volunteer hours?

17 A. Yes, but I don't remember when the  
18 volunteer hours were due. Just I knew I had to  
19 have them. But at this time, I was working to  
20 pay my rent. I wasn't volunteering for  
21 anything.

22 Q. You weren't?

23 A. No.



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1 Q. And you have never volunteered for  
2 anything, as I understand it today; is that  
3 right?  
4 A. No.  
5 Q. Is that correct?  
6 A. I was working.  
7 Q. Is that correct?  
8 A. Yes.  
9 Q. You have never done any volunteer  
10 work?  
11 A. No.  
12 Q. Do you know anything about how the  
13 pay arrangement worked when you were working  
14 out at Blackwell's?  
15 A. What do you mean?  
16 Q. How did you get paid?  
17 A. The Lovelady cut a check and gave  
18 it to us. Went to accounting on I think the  
19 15th of every month and gave us a check.  
20 Q. Okay. Did you check that, look at  
21 how much you were paid as against the hours  
22 that you worked?  
23 A. Yes.

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1 Q. Did you ever complain about hey, I  
2 don't think I am getting enough?  
3 A. Yes.  
4 Q. Who did you complain to?  
5 A. I don't remember her name but  
6 somebody in job placement.  
7 Q. Do you remember when it was that  
8 you complained?  
9 A. Almost every pay period.  
10 Q. Do you remember any specific ones?  
11 A. My hours were not right.  
12 Q. Do you remember any specific dates  
13 that you complained to the person who you can't  
14 remember in job placement?  
15 A. Not right now, no.  
16 Q. Just I want to make sure I am  
17 clear. So you don't know who you complained to  
18 or specifically when you complained?  
19 A. Somebody in job placement who was  
20 over at that time during anytime that I was  
21 working.  
22 Q. You complained every single time,  
23 every single week?

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1 A. No.  
2 Q. You can't tell me any specific  
3 week that you complained?  
4 A. No.  
5 Q. Is that correct?  
6 A. That's correct.  
7 Q. All right. Do you know who  
8 actually worked for Lovelady's, who was on the  
9 staff? Can you name some of them?  
10 A. Yes.  
11 Q. All right. Who can you name?  
12 A. Just like anywhere?  
13 Q. Uh-huh.  
14 A. The client reps, want me to name  
15 all my client reps?  
16 Q. I just wanted to ask you, your  
17 client reps, they weren't enrolled in the  
18 program at the time they were your client reps?  
19 A. No, they were staff.  
20 Q. So there was a difference between  
21 staff and people who were enrolled? You knew  
22 some people were staff and some people were  
23 enrolled, correct?

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1 A. I mean I knew some people that  
2 were in the program but were still working but  
3 at a different level.  
4 Q. They weren't staff of Lovelady  
5 Center?  
6 A. What do you mean they weren't  
7 staff?  
8 Q. Well, there were some people who  
9 weren't enrolled in the program who worked for  
10 Lovelady?  
11 A. Yes.  
12 Q. Like Melinda, people like that.  
13 That is what I consider to be staff.  
14 A. Yes.  
15 Q. You understand what I mean by  
16 staff, right?  
17 A. Yes. Well, I didn't consider her  
18 staff. She owned the place. So no, I don't  
19 consider her staff. She owned it.  
20 Q. You don't consider her staff? Oh,  
21 she owned it?  
22 A. Yeah, she ran it, you know, ran  
23 it.

32 (Pages 125 to 128)

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1 Q. Do you know she owned it?  
 2 A. Yeah.  
 3 Q. You do?  
 4 A. I mean anytime -- I feel like  
 5 anytime somebody is the head, they have the big  
 6 office, then yeah --  
 7 Q. Then they own it?  
 8 A. Yeah. And they tell everybody  
 9 what to do, (nodding).  
 10 Q. Okay. Any other staff members you  
 11 can think of who weren't enrolled in the  
 12 program but who worked there?  
 13 A. No.  
 14 Q. You can't think of any others?  
 15 A. (Shaking head.)  
 16 Q. Did you think that being at The  
 17 Lovelady was worthwhile, The Lovelady Center?  
 18 A. It didn't impact me negatively nor  
 19 positively. It didn't do one way or another.  
 20 Q. But you just stayed there?  
 21 A. (Nodding.)  
 22 Q. Why did you stay?  
 23 A. For one, I was working, you know.

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1 And it did -- I take that back. It did kind of  
 2 help me as far as my kids but --  
 3 Q. As far as your kids?  
 4 A. Yes, being able to visit with  
 5 them.  
 6 Q. You couldn't have visited with  
 7 your kids if you weren't in the program?  
 8 A. I could have. I could have.  
 9 Q. How did it help you?  
 10 A. But they were able to come -- to  
 11 come, you know, there and it just be us and not  
 12 somebody else around.  
 13 Q. You didn't have to have somebody  
 14 else there for visitation?  
 15 A. Yes.  
 16 Q. And that is something you couldn't  
 17 have done if you weren't enrolled in the  
 18 program?  
 19 A. I could have.  
 20 Q. Well, then --  
 21 A. It just would have been a  
 22 different environment is what I am saying.  
 23 Q. What kind of environment would it

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1 have been?  
 2 A. At their father's house.  
 3 Q. Do you know who determined what  
 4 your wage rate was going to be at Blackwell's?  
 5 A. I guess The Lovelady.  
 6 Q. Do you know?  
 7 A. No.  
 8 Q. Okay. And you don't know whether  
 9 or not Blackwell's was owned or leased by  
 10 Lovelady?  
 11 A. No.  
 12 Q. When you went to Blackwell's, did  
 13 they provide everything that you needed to do  
 14 the job there?  
 15 A. Yes.  
 16 Q. Okay. Did Lovelady send you with  
 17 the type of equipment or stuff that you needed  
 18 to do the job or was that all there at  
 19 Blackwell's?  
 20 A. That was all there.  
 21 Q. At Blackwell's?  
 22 A. Yes.  
 23 Q. Did you ever work at Haymon Homes

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1 or just train there?  
 2 A. No. I just trained.  
 3 Q. Can you tell me how many people  
 4 you think have been not paid what they should  
 5 be paid?  
 6 A. No. I don't know how many.  
 7 Q. You don't have any idea?  
 8 A. No.  
 9 Q. Do you remember signing a  
 10 declaration in this case, something called a  
 11 declaration?  
 12 (Defendants' Exhibit 7 was marked  
 13 for identification.)  
 14 Q. (BY MR. MILLER:) I will show you  
 15 what I am going to mark as Defendants'  
 16 Exhibit 7.  
 17 A. Yes.  
 18 Q. Do you remember this?  
 19 A. Yes.  
 20 Q. Did you type that up?  
 21 A. This is not mine.  
 22 Q. What?  
 23 A. This is not mine.

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1 Q. Oh, I gave you the wrong one.  
 2 That wouldn't be yours. Let me give you the  
 3 right one. Do you remember doing one?  
 4 A. Yes.  
 5 Q. Did you type it up?  
 6 A. Those are my answers, yes.  
 7 Q. Did you type it up?  
 8 A. No, I didn't type it up.  
 9 Q. You told your lawyers what to put  
 10 on it?  
 11 A. I answered the questions that I  
 12 was asked, yes.  
 13 Q. Did you read it before you signed  
 14 it?  
 15 A. I did.  
 16 Q. Did you understand that it was  
 17 submitted as a declaration and it is submitted  
 18 under penalty of perjury?  
 19 A. Yes.  
 20 Q. Okay. Let me show you. Is that  
 21 your declaration there?  
 22 A. It is.  
 23 Q. Is that your signature on the end?

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1 A. Yes.  
 2 Q. Do you want to revoke your  
 3 declaration here now that you are under oath or  
 4 do you want to stand by it?  
 5 A. Stand by it.  
 6 Q. Okay. Do you have any type of  
 7 audio recordings of anything that happened at  
 8 Lovelady or Blackwell's --  
 9 A. No, I don't.  
 10 Q. -- to support your claim? Do you  
 11 have any documents other than what you have  
 12 given your lawyers that you would believe  
 13 supports your case?  
 14 A. Not that I can think of at this  
 15 time.  
 16 Q. Well, do you? You don't know of  
 17 any others?  
 18 A. No. No. Not at this time.  
 19 Q. Did you have any communication  
 20 with the U.S. Department of Labor?  
 21 A. No.  
 22 Q. Involved in an audit with them?  
 23 A. No.

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1 Q. Talk to an investigator?  
 2 A. No.  
 3 Q. So am I right that you think  
 4 Melinda owns Lovelady?  
 5 A. Yes.  
 6 Q. Okay.  
 7 A. That is what I said. That is what  
 8 I believe, yes.  
 9 Q. And you are suing Lovelady?  
 10 A. Yes.  
 11 Q. So you are suing Melinda?  
 12 MR. CAMP: Objection.  
 13 A. No.  
 14 Q. (BY MR. MILLER:) No? You don't  
 15 think you are suing her?  
 16 A. I am not suing Melinda McGahee. I  
 17 am not suing her, no.  
 18 Q. Do you think she did anything  
 19 wrong?  
 20 MR. CAMP: Asked and answered.  
 21 A. If she knew of --  
 22 Q. (BY MR. MILLER:) If she knew  
 23 what?

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1 A. Yes, I believe she -- yes.  
 2 Q. What did she do wrong?  
 3 A. Working us and not paying us, not  
 4 compensating us.  
 5 Q. You worked and you didn't get paid  
 6 for it?  
 7 A. Not the correct compensation, no.  
 8 Q. What was --  
 9 A. I worked overtime and didn't get  
 10 paid overtime, time and a half. No, I didn't.  
 11 Q. And that is something you have  
 12 learned about since being in this case?  
 13 A. No.  
 14 Q. About the requirement for  
 15 overtime?  
 16 A. No, I have always known about  
 17 overtime with all my jobs because I have always  
 18 been compensated time and a half. Sometimes  
 19 double time.  
 20 Q. Oh, you have, double time?  
 21 A. Yes.  
 22 MR. MILLER: All right. Let's  
 23 take a break for just a minute.

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1 (Whereupon, a break was had from  
2 11:31 a.m. until 11:41 a.m.)

3 Q. (BY MR. MILLER:) Are you ready to  
4 go back on the record?

5 A. Yes.

6 Q. You understand you are still under  
7 oath?

8 A. Yes.

9 Q. What evidence do you have that  
10 Blackwell's withheld money from your pay?

11 A. What?

12 Q. Do you have any evidence that  
13 Blackwell's withheld money from your pay?

14 A. That Blackwell's withheld money  
15 from my pay?

16 Q. Uh-huh.

17 A. No.

18 Q. What about do you have any  
19 evidence that Lovelady withheld money from your  
20 pay?

21 A. Not that I can think of. No, I  
22 have like paycheck stubs.

23 Q. Okay. And they show that money

1 Q. Okay. But that is taking you out  
2 of the program. Do you have any evidence that  
3 your client rep could fire you from Blackwell's  
4 because of your performance there?

5 A. No.

6 Q. You understood when you came into  
7 the program at Lovelady that it was  
8 rehabilitation, correct?

9 A. That's correct.

10 Q. And that part of that  
11 rehabilitation was a work therapy piece?

12 A. No.

13 Q. You never --

14 A. I never heard of work therapy.

15 Q. You never heard of work therapy?

16 A. No.

17 Q. Did you understand that part of  
18 what you were going to be doing was getting  
19 engaged in work when you signed up?

20 A. No.

21 Q. You didn't know that you were  
22 going to do internal stuff and there was a  
23 requirement that you were going to help out and

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1 was withheld?

2 A. Yes.

3 Q. Where did that money go to?

4 A. To The Lovelady Center.

5 Q. To pay for what?

6 A. My rent and my fees.

7 Q. Other than that, was there any  
8 money withheld from you that you are aware of?

9 A. Not that I am aware of.

10 Q. What evidence do you have that  
11 your client rep could fire you from your job at  
12 Blackwell's?

13 A. I was told that if I didn't adhere  
14 to the rules and guidelines --

15 Q. If you didn't adhere to Lovelady's  
16 rules and guidelines, Lovelady could take you  
17 out of that part of the program, correct?

18 A. Yes.

19 Q. And you couldn't go and do outside  
20 work, correct?

21 A. No.

22 Q. Isn't that correct?

23 A. That's correct.

1 do security or wash dishes or child care?

2 A. Not at that time.

3 Q. At what point did you become aware  
4 of that?

5 A. During my first thirty days that I  
6 was there.

7 Q. How did you think you were going  
8 to pay for Lovelady services if you weren't  
9 doing some type of work?

10 A. I knew that I was going to  
11 eventually have to get a job to work to be able  
12 to pay my fees.

13 Q. And you could go and apply outside  
14 and work at McDonalds or wherever you wanted to  
15 once you got into Phase II or III, right?

16 A. Yes. I just decided to work for  
17 The Lovelady Center.

18 Q. You decided to go work at  
19 Blackwell's, right?

20 A. Well, I was told that if I didn't  
21 apply outside, that I would have work at  
22 Blackwell's.

23 Q. You could either go apply

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1 somewhere else on your own or they could help  
 2 you get on with Blackwell's; is that correct?  
 3 A. No.  
 4 Q. No?  
 5 A. No. I was told.  
 6 Q. Told what?  
 7 A. To work at Blackwell's.  
 8 Q. Didn't you tell me earlier that  
 9 you went to somebody and said I want to work at  
 10 Blackwell's?  
 11 A. Yes, to pay my fees. After my  
 12 client rep told me that I could do Blackwell's  
 13 or Haymon's Homes, yes, that is when I agreed  
 14 to it.  
 15 Q. Or you could have gone outside and  
 16 done an outside job if you wanted to?  
 17 A. Yes.  
 18 Q. But you wanted to do Blackwell's?  
 19 A. Yes.  
 20 Q. That was your choice?  
 21 A. I decided, yes.  
 22 Q. Is there any evidence that you  
 23 have, any documents or stuff people said to you

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1 or any information that you have that we  
 2 haven't talked about today that you believe  
 3 supports your position that you were an  
 4 employee of Lovelady?  
 5 A. I can't think of any right now.  
 6 Q. All right.  
 7 MR. MILLER: I think that is all I  
 8 have.  
 9 MR. CAMP: I have got a few  
 10 questions for you, Ms. Bates.  
 11 EXAMINATION BY MR. CAMP:  
 12 Q. When you received your 1099 I  
 13 believe you said in 2015, who was that 1099  
 14 from?  
 15 A. It was from The Lovelady Center.  
 16 Q. Did you ever receive a 1099 from  
 17 Blackwell's Way?  
 18 A. No.  
 19 Q. Or from Haymon Homes?  
 20 A. No.  
 21 Q. When you went to job placement and  
 22 said you were interested in working at  
 23

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1 Blackwell's Way, did you put in a written  
 2 application for Blackwell's Way's employment?  
 3 A. No.  
 4 Q. And were you interviewed by  
 5 anybody from Blackwell's Way?  
 6 A. No.  
 7 Q. So you were told by Lovelady  
 8 Center to go to Haymon Homes for orientation?  
 9 MR. MILLER: Object to the form.  
 10 A. That's correct.  
 11 Q. (BY MR. CAMP:) I'm sorry. Did  
 12 Lovelady Center tell you where to report for  
 13 orientation for the work at Blackwell's Way?  
 14 MR. MILLER: Object to the form.  
 15 A. Yes.  
 16 Q. (BY MR. CAMP:) And where did they  
 17 tell you to go?  
 18 A. To Blackwell's Way.  
 19 Q. Where was your orientation, your  
 20 training?  
 21 MR. MILLER: Object to the form.  
 22 A. Oh, my training was at Haymon  
 23 Homes.

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1 Q. But you never worked at Haymon  
 2 Homes?  
 3 A. No.  
 4 Q. So you never had any orientation  
 5 at Blackwell's Way; is that correct?  
 6 MR. MILLER: Object to the form.  
 7 A. That's correct.  
 8 Q. (BY MR. CAMP:) And when you were  
 9 at Haymon Homes, where did you live?  
 10 A. In a trailer. There was a trailer  
 11 for all of the clients who had to stay there  
 12 with a housemother. The trailer --  
 13 (Off-the-record discussion.)  
 14 A. That was basically it, what I  
 15 said.  
 16 Q. (BY MR. CAMP:) And the  
 17 housemother, who did the housemother work for?  
 18 A. For The Lovelady Center.  
 19 Q. And what was the housemother's  
 20 responsibilities?  
 21 A. To oversee all of the clients that  
 22 were sent up, to make sure that we reported to  
 23 our duties and we did our chores.



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1 Q. Now, you had mentioned that if you  
2 wanted to see your kids over a weekend, you  
3 would have to schedule off. If you wanted to  
4 schedule off while you were at Blackwell's Way,  
5 who would you contact?

6 A. The job placement, the lady in job  
7 placement.

8 Q. At The Lovelady Center?

9 A. At The Lovelady Center.

10 Q. And then Lovelady would decide  
11 whether you could take the time off; is that  
12 correct?

13 A. That's correct.

14 MR. MILLER: Object to the form.

15 MR. CAMP: Did you get that?

16 THE REPORTER: (Nodding.)

17 Q. (BY MR. CAMP:) Now, did you ever  
18 work alongside individuals who were graduates  
19 of The Lovelady Center?

20 A. Yes.

21 Q. So they were no longer in the  
22 program, correct?

23 A. That's correct.

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1 Q. And were they doing any work that  
2 was different than you?

3 A. No.

4 MR. MILLER: Object to the form.

5 A. We were doing the exact same work.  
6 (Off-the-record discussion.)

7 Q. (BY MR. CAMP:) Just so I am  
8 clear, we talked about the fact that at  
9 Blackwell's Way, you thought that you had had  
10 money improperly withheld by you by Lovelady  
11 Center, correct?

12 A. Yes.

13 MR. MILLER: Object to the form.

14 Q. (BY MR. CAMP:) Did Lovelady  
15 Center pay you overtime while you were assigned  
16 to Blackwell's Way?

17 A. No.

18 Q. Now, you talked about working  
19 security at I believe it was Carraway; is that  
20 correct?

21 A. Yes.

22 Q. And does Lovelady Center have any  
23 clients at Carraway?

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1 A. No. It is just an empty lot.

2 Q. It is just an empty building?

3 A. Well, empty building, yes.

4 Q. So you weren't securing Lovelady  
5 Center employees; you were securing property.  
6 Is that correct?

7 A. That's correct.

8 MR. MILLER: Object to the form.

9 Q. (BY MR. CAMP:) Now, while you  
10 were working security, it was your  
11 understanding that you were working off the  
12 fees you had accrued to date; is that correct?

13 MR. MILLER: Object to the form.

14 A. That's correct.

15 MR. MILLER: Have you got my  
16 objection?

17 THE REPORTER: (Nodding.)

18 Q. (BY MR. CAMP:) And you said that  
19 you filled out the opportunity credit forms  
20 while you were assigned to that Center; is that  
21 accurate?

22 A. That's correct.

23 (Plaintiffs' Exhibit 1 was marked

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1 for identification.)

2 (Off-the-record discussion.)

3 MR. CAMP: I am going to mark this  
4 as Plaintiffs' Exhibit 1.

5 Q. (BY MR. CAMP:) I am going to show  
6 you some of these opportunity credit sheets.  
7 On these opportunity credit sheets --

8 MR. MILLER: Before you show them  
9 to her, could I see a copy of them?

10 MR. CAMP: Yes. Sure. Sorry. I  
11 wasn't anticipating using them with her.

12 MR. MILLER: Okay.

13 Q. (BY MR. CAMP:) Take a look at  
14 these sheets.

15 A. Uh-huh.

16 Q. The time that you recorded, do  
17 these sheets reflect that you worked security  
18 at Carraway in excess of forty hours in each of  
19 those weeks?

20 A. Yes.

21 MR. MILLER: Object to the form.

22 Q. (BY MR. CAMP:) And we talked  
23 about this minus ten. Do you know what that is



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1 for?

2 A. No, I don't. That was put on  
3 there after I signed. When I signed the sheet,  
4 it said sixty.

5 Q. Did you authorize anybody at The  
6 Lovelady Center to deduct ten hours from your  
7 sixty hours of reported time?

8 MR. MILLER: Object to the form.  
9 Lacks foundation. Leading question.

10 A. No.

11 Q. (BY MR. CAMP:) Now, look through  
12 all of them. All of them have ten hours  
13 deducted from them in which it puts you under  
14 forty hours --

15 A. Yes.

16 Q. -- except for the first one.

17 MR. MILLER: Object to the form.

18 MR. CAMP: I'm not done with the  
19 question.

20 MR. MILLER: Well, it is so  
21 leading that I figured I would object.

22 Q. (BY MR. CAMP:) Can you tell me if  
23 on any of those weeks you gave Lovelady Center

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1 A. That's correct.

2 Q. And while you were at the thrift  
3 store, did you work along any other employees  
4 or workers there that were graduates of the  
5 program?

6 A. Yes.

7 Q. And did they do any work that was  
8 different from what you were doing?

9 MR. MILLER: Object to the form.

10 A. No.

11 Q. (BY MR. CAMP:) While you were at  
12 The Lovelady Center or Blackwell's Way, at any  
13 point in time did you tell Lovelady to  
14 designate certain hours that you were working  
15 as voluntary?

16 A. No.

17 MR. MILLER: Object to the form.

18 Q. (BY MR. CAMP:) Did you ever  
19 graduate from the program?

20 A. No, I did not.

21 Q. Why not?

22 A. Because I was always working to  
23 make sure that I made enough money to get my

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1 authorization to subtract ten hours?

2 A. No.

3 MR. MILLER: Now I object.

4 Q. (BY MR. CAMP:) Now, if you will  
5 look up here in the right top hand corner of  
6 these sheets, they have a number.

7 A. Yes.

8 Q. Do you know what that number is?

9 A. Where they calculated it, the rate  
10 of pay times the hours that I worked.

11 Q. What was your rate of pay while  
12 you were working security?

13 A. Seven dollars and twenty-five  
14 cents an hour.

15 Q. Have you ever worked at the thrift  
16 store?

17 A. Yes.

18 Q. Were you paid for the time you  
19 were employed at the thrift store?

20 A. No. It went towards my rent.

21 Q. You are saying you got credit for  
22 those hours towards your rent while you were at  
23 the thrift store?

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1 fees down. And I didn't go to enough of the  
2 classes so that I could graduate the program  
3 because I was always working.

4 Q. And how long was your program  
5 supposed to be?

6 A. From nine to twelve months.

7 Q. And you were actually there a  
8 little over two years; is that correct?

9 A. Yes.

10 Q. Do you know if your client reps  
11 were graduates of the program?

12 A. Yes.

13 Q. All of them?

14 A. All of my client reps, yes.

15 Q. So if you went through the  
16 program, there was the possibility that you  
17 could work as a client rep?

18 MR. MILLER: Object to the form.

19 A. That's correct.

20 Q. (BY MR. CAMP:) I wanted to clear  
21 up one thing. When you were talking about  
22 sometimes you would babysit a co-client's  
23 children --

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1 A. Uh-huh.  
2 Q. -- I think you said when you were  
3 asked to do something, you would try to do it;  
4 if you couldn't, you didn't.

5 When you were referring to someone  
6 asking you to do something, were you talking  
7 about a co-client or The Lovelady Center?

8 A. A co-client.

9 Q. Did you have any option not to do  
10 what The Lovelady Center told you?

11 MR. MILLER: Object to the form.

12 A. No.

13 MR. CAMP: That is all I have.

14 REEXAMINATION BY MR. MILLER:

15 Q. Ms. Bates, your testimony a minute  
16 ago about why you left the Center was not true,  
17 was it?

18 A. I wasn't asked why I left the  
19 Center.

20 MR. CAMP: She was asked why she  
21 didn't graduate the program.

22 A. Why I didn't graduate.  
23

1 A. No.

2 Q. That is when you tested positive,  
3 was when you went off-site.

4 A. That was one time.

5 Q. When did you work at the thrift  
6 store?

7 A. When I first got to the Center.

8 Q. When was that? Do you remember  
9 dates?

10 A. Sometime in January or February of  
11 2012.

12 Q. Okay. Did you ever ask to be a  
13 client rep?

14 A. No.

15 Q. Ever apply for a job?

16 A. Not for client rep.

17 Q. Is that something you aspired to  
18 do one day, was to be a client rep?

19 A. Not that I can think of, no.

20 MR. MILLER: That is all I have  
21 got. Thank you.

22 A. Okay.

23 MR. CAMP: I have just got one

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1 Q. (BY MR. MILLER:) The reason you  
2 didn't graduate from the program was because  
3 you tested positive for drugs, right?

4 A. Yes. I realize that, yes.

5 Q. I just want to make it clear  
6 because you made it sound like a minute ago it  
7 was because you didn't get something checked  
8 off from a form, but it was because you were  
9 doing drugs.

10 A. No. I made it clear that I didn't  
11 graduate the program. Because I could have  
12 graduated the program and stayed at the Center  
13 and --

14 Q. But you left the program because  
15 you tested positive for drugs not once, but  
16 twice while you were in there?

17 A. Yes.

18 Q. When they would give you a pass to  
19 go out on your own and do something with your  
20 family or somebody else is when you did that,  
21 that you couldn't handle it and you relapsed --

22 A. No.

23 Q. -- correct?

1 more follow-up.  
2

3 REEXAMINATION BY MR. CAMP:

4 Q. Let's make it clear. You didn't  
5 graduate within nine to twelve months of  
6 starting your program because you were working  
7 all the time.

8 MR. MILLER: Object to the form.

9 A. That's correct.

10 Q. (BY MR. CAMP:) Is that your  
11 testimony?

12 A. Yes.

13 Q. You were ultimately dismissed from  
14 the program two years after you started it  
15 because of a drug violation, correct?

16 A. That's correct.

17 Q. But that was two years after you  
18 had started?

19 A. Yes.

20 MR. CAMP: That is all I have.

21 MR. MILLER: Okay. That is all.

22 FURTHER THE DEPONENT SAITH NOT  
23 (Deposition concluded at 12:00 p.m.)

## 1 CERTIFICATE

2  
3  
4 STATE OF ALABAMA  
5 JEFFERSON COUNTY  
67 I hereby certify that the above  
8 and foregoing deposition was taken down by me  
9 in stenotypy, and the questions and answers  
10 thereto were reduced to typewriting under my  
11 supervision, and that the foregoing represents  
12 a true and correct transcript of the deposition  
13 given by said witness upon said hearing.14 I further certify that I am  
15 neither of counsel nor of kin to the parties to  
16 the action, nor am I in anywise interested in  
17 the result of said cause.  
1819  
20 /s/ LAURA H. NICHOLS  
21 Commissioner-Notary Public, State of AL  
22 ACCR License No. 3, Exp. 9/30/2016  
23 GA CCR No. 2714, Exp. 4/1/2016  
TN LCR No. 679, Exp. 6/30/16  
Transcript Certified on 10/26/2015